

**CITY OF PARK RIVER, NORTH DAKOTA, REGULAR COUNCIL MEETING,
MONDAY, AUGUST 21, 2017 AT 5:30 P.M.**

Published Subject to the Governing Body's Review and Revision

The City of Park River held their regular meeting of the Park River City Council on Monday, August 21, 2017 at 5:30 P.M.

Mayor Stenvold called the meeting to order; upon roll call the following were Present: Council members Mike Lorton, Arvid Knutson, Dwight Byron, Keith Anderson, and Kyle Halvorson, City Attorney Tracy Laaveg, Public Works Director (PWD) Dennis Larson, City Coordinator/Auditor Nancy Thompson, and Assessor/Deputy Auditor Ann Berg. Absent: Robert Lundquist III. Others present: Joe Fietek, Mike Helt, Wally Rygh of Mortenson & Rygh, PTR, David Svobodny, Eugene Bossert, Sheriff Ron Jurgens, Taylor Amiot of AE2S, Dean Skjerven, and Patty Hensel. Daryl Larson arrived at 6:55 pm; Steve Rehovsky at 7:00 pm; Gary Paulson at 7:07 pm.

Comments and Questions From Citizens: Joe Fietek questioned why there are gaps in Council meeting minutes where some comments were not included. He questioned if minutes are reviewed prior to publication. City Administration stated the Deputy Auditor transcribes the minutes and the Auditor proofs them prior to publication.

Additions and changes to agenda: Add to Unfinished Business: Add lot prices to #8, Add #9 pickup bids. Add to Committee Reports Employee Relations. Add to New Business: #4 garbage rates, Add #8 bid out engineering 2018 street project.

Approval of Minutes: Halvorson moved and Byron seconded to accept the minutes from the July 10, 2017 meeting with the following corrections: under Green Acres Addition discussion add Councilman Lundquist stated that adding another car wash in town is not viable as his car wash is not a money making venture and having competition could force him to shut it down. Upon roll call vote, all voted aye. M/C. Knutson made a recommended that prior to publication the minutes should be sent to the Mayor, Council & City Attorney for review.

Mayor's Comments:

Mayor Stenvold admonished the council on appropriate behavior during meetings and urged all to follow Roberts Rules of Order to maintain order, or risk being removed from the meeting. Stenvold recently attended an open meetings/open records training with the ND Attorney General's office and admonished the council to be mindful of open meetings violations, particularly with regard to serial meetings. He informed that other public officials in the state are facing criminal charges due to these types of violations. He further admonished the council to be mindful of conflicts of interest and avoid taking action. (Written comments on file with the city auditor).

Mayor Stenvold announced that he will change the order of the agenda so people waiting to present information can get done in a timely manner.

Wallace Rygh, of Mortenson & Rygh, PC, reviewed the City of Park River 2016 Audit Report with members of the Council. Rygh informed the Council that the City is in compliance with State & Federal regulations and financial reporting practices and is offering a clean audit opinion, however he noted that due to an unusually high number of corrections that were required, his bill was higher

than in past years. He presented his bill for \$10,890.00. Anderson moved and Halvorson seconded to approve the 2016 audit report and payment of the bill. Upon roll call vote, all voted aye. M/C.

Jon Markusen, engineer with KLJ, Inc., appeared to present the August 10th bid results for the Green Acres Addition street project. Three bids were received: \$279,498.62-Knife River Materials; \$312,539.00-RJ Zavoral & Sons, Inc; \$382,131.60-Strata Corporation. Markusen recommended accepting the low bid from Knife River Materials for all three phases totaling \$279,498.62. Markusen thought the project could start in September. Thompson noted this bid was \$63,403.98 lower than the engineer's estimate. Byron moved and Knutson seconded to award the bid to Knife River Materials. Upon roll call vote, all voted aye. M/C. Markusen will send out the notice of award to Knife River Materials. Markusen also submitted the engineering construction contract with an estimated cost of \$35,200.00. Halvorson moved and Anderson seconded to approve the engineering contract. Upon roll call vote, all voted aye. M/C

Stenvold stated that the City is on the Walsh County Commission agenda for tomorrow regarding the policing contract. Knutson moved and Halvorson seconded to approve sending Byron to the WC Commission meeting to negotiate the policing contract. Upon roll call vote the following voted aye; Lorton, Halvorson, Knutson and Anderson with Byron abstaining. M/C. Sheriff Jurgens reported he has hired a new deputy, Mark Wark, who will be assigned to Park River starting on September 1st.

Assessor Berg reported two applications for abatement have been received from the following residents; David and Rebecca Svobodny and Leroy and Carol Monson. David Svobodny requested a reduction in actual value from \$91,600 to \$57,100 due to the recent school improvements which he felt negatively affected his home's value. Berg recommended denying the abatement without an appraisal to demonstrate actual loss of value. Svobodny asked that the council take no action and send the abatement to the County for review, and indicated he had an attorney and was prepared to pursue an action against the city for allowing the nuisance which created the implied loss of value. Halvorson moved and Byron seconded to follow Assessor Berg's recommendation to deny Svobodny's request for abatement. Upon roll call vote, all voted aye. M/C.

Berg recommended approval of Monson's request to reduce the value of their home from \$164,410.00 to \$155,000.00 as Monson's purchased their property recently and that market value is still applicable. Knutson moved and Anderson seconded to follow Assessor Berg's recommendation to approve Monson's request for abatement. Upon roll call vote, all voted aye. M/C.

Assessor Berg reported she has completed the fourth session of training through IAAO and will continue with her training. She will start scheduling assessor home visits starting with ranch style properties as they have seen the largest growth in market sales valuation.

Taylor Amiot, with AE2S, presented an update and a pay request from Knife River Materials for \$496,047.10 on St Improve Dist 2017-1. He reported the pay request is slightly higher than the contract, additional work for mill and overlay on Vivian Street and ADA compliance were required and approved by PWD Larson. Amiot noted work remaining to be completed is raising a couple of manholes by a couple of inches so the drop off between the street and manhole cover is not so noticeable and the west entrance by the hospital needs to be fixed. Byron moved and Anderson seconded to approve the pay request in the amount of \$496,047.10 to Knife River Materials. Upon roll call vote, all voted aye. M/C.

After a public hearing, the Special Assessment Commission recommended accepting the special assessment as \$5,567.55 per residential parcel and \$16,702.64 per commercial parcel. Anderson moved and Lorton seconded to approve the St Improvement District 2017-1 special assessments as

presented with \$5,567.55 per residential parcel and \$16,702.64 per commercial parcel. Upon roll call vote, all voted aye. M/C.

Knutson moved and Halvorson seconded to approve the following resolutions for St Improvement Dist 2017-1 and authorizing the Mayor and City Auditor to sign on behalf of the City; Resolution for Issuance of Bonds for St Imprv 2017-1; Closing Bond Certificate for St Imp. 2017-1; Loan Agreement with Bank of ND for St Imprv 2017-1. Upon roll call vote the following voted aye, Lorton, Halvorson, Knutson, Byron, and Anderson. No one voted nay and Lundquist was absent. M/C.

Laaveg asked the Council to clarify the purchase price for the commercial lots in Green Acres Addition. The PR Eco. Dev. Corp set a price of \$7,500.00 but the City Council minutes state \$8,500.00. Since lots have already been sold Laaveg felt it was necessary to correct the price in the minutes to \$7,500.00. Knutson moved and Anderson seconded to approve charging \$7,500.00 per commercial lot in Green Acres Addition. Upon roll call vote, all voted aye. M/C.

Pickup bids were received: D&B Motors of Langdon - \$34,500.00; Birchwood of Cavalier - \$35,994.00; and Hanson Auto of Grafton - \$34,500.00. PWD Larson reviewed the specifications on the bids and the matter was tabled until later in the meeting.

Committee Reports:

Sales Tax Committee: Recommended the following: Loans from the Capital Improvement Fund to pay bills for the St Improve Dist # 2017-1 project and to be reimbursed when funding is received; AE2S \$40,475.81 and 5,454.16, and Sillers, Laaveg & Wenzel \$220.00. To pay from Economic Development Fund Sillers, Laaveg & Wenzel \$145.00 for legal fees for Green Acres Addition, PR Dental Land PACE interest buy-down to Bank of ND for \$2,102.00 and \$9,887.00 to be paid back to the City after loans to Bank of ND are paid in full, and an additional \$400.00 for Heartland Eye Care PACE interest buy-down to Bank of ND to be paid back to the City after loans to Bank of ND are paid in full; and loans from the Economic Development Fund to pay bills for the St Improve Dist # 2017-2 project and to be reimbursed when funding is received; KLJ, Inc \$2,640.00, WC Press 285.36, and Sillers, Laaveg & Wenzel \$67.50. Anderson moved and Byron seconded to approve all of the Sales Tax Committee recommendations as presented. Upon roll call vote, all voted aye. M/C.

Employee Relations Committee: Informed the Council they rescinded the offer to the applicant chosen for the electrical position and will re-advertise the position this winter.

City Administration reported there are several residents living in the trailer court with no utility service due to unpaid utility bills. Laaveg cited city Ordinances which apply and is recommending sending letters to both the occupants and owners of the trailer courts to vacate or pay bills within 2 weeks or the city would take legal action. A copy of the Ordinance should be included with the letter. If not paid by September 30th the unpaid bills will be special assessed to the property owner's taxes. Byron moved and Lorton seconded to have letters sent to both the owners of the trailer court and occupants notifying them they have two weeks to have bills paid in full or legal action will be taken and as of September 30th assess any unpaid balances to the property taxes. Upon roll call vote, all voted aye. M/C.

Corrections to the schedule of fees were tabled until next month.

City Administration reported the security cameras in town along with the recorder are obsolete and need to be replaced. They are working on getting quotes to upgrade the system.

City Administration reported with the onset of internet bill pay the firewall needs updating. They are also looking at hosted offsite backup which will automatically update saved information. Polar Communications provided quotes for leasing the equipment with installation fees of \$200.00 and a monthly charge of \$207.90 and the quote to purchase the equipment for \$871.13, with \$250.00 Installation charge and a monthly charge of \$177.90. Knutson moved to approve leasing the equipment for the firewall and implementing the hosted backup program from Polar Communications with the \$200.00 installation charge and \$207.90 monthly charge. Upon roll call vote, the following voted aye; Lorton, Knutson. Byron, and Anderson voted aye with Halvorson abstaining. M/C.

Halvorson moved and Anderson seconded to table the Leadership Code for Elected Officials until next month. Upon roll call vote, all voted aye. M/C.

Knutson moved and Lorton seconded to bid out engineering for the proposed 2018 street improvement project. Upon roll call vote, all voted aye. M/C.

Auditor's Report:

Knutson moved and Anderson seconded to accept the Auditors Report into record. Upon roll call vote, all voted aye. M/C.

Anderson moved and Lorton seconded to approve payment of the following bills for the General Fund, Municipal Utilities, Special Fund and Debt Service & Bond Funds. Upon roll call vote, all voted aye. M/C.

General Fund

29600	NDPERS	101.91
1	Aflac	22.25
2	Discovery Benefits	17.90
3	NDPERS	87.44
4	NDPERS	1,036.36
5	BC/BS of North Dakota	1,712.04
6	Sillers, Laaveg, & Wenzel	750.00
7	NDPERS CP15	69.03
29608-21	Voids	0.00
22	Walsh County Press	310.78
23	Auto Value Grafton	121.74
24	Cardmember Service	125.00
25	Productivity Plus Account	1,142.50
26	Dale's Small Engine Repair LLC	194.86
27	Ferguson Waterworks #2516	1,425.50
28	Jim's Super Valu	14.38
29	Kinetic Leasing	90.00
29630	Knife River Materials	31,259.46
31	Liberty Business Systems, Inc	80.36
32	Lon's Hardware	114.22
33	Montana Dakota Utilities	100.19
34	Michael Kilmer Construction	8,881.00
35	Municipal Government Academy	325.00
36	Northdale Oil, Inc	1,350.65

37	North Star Coop	746.94
38	PR Park District	2,842.52
39	PR Public Library	1,078.94
29640	Quill Corporation	215.24
41	Glenn Rost	250.00
42	SanGrait's Auto Service	534.65
43	Sillers, Laaveg, & Wenzel	4.10
44	Special Funds	1.53
45	US Bank Equipment Finance	162.42
46	Verizon Wireless	144.11
47	Mortenson & Rygh, PTR	4,367.40
48	Walsh County Auditor	6,207.97
49	Polar Communications	484.75
29650	PR Airport Authority	1,080.15
AW	Municipal Utilities	7,822.25
AW	US Treasury	2,650.64
AW	ND ST Tax Commissioner	334.79

Municipal Utilities

34318	Nodak Electric Cooperative	5,094.83
19	State Fire & Tornado Fund	4,702.12
34320	NDPERS	301.99
21	Postmaster	263.29
22	General Fund	7,822.25
23	Aflac	108.67
24	Discovery Benefits	142.10
25	NDPERS	316.46
26	NDPERS	4,766.40
27	BC/BS of North Dakota	6,472.86
28	NDPERS	334.87
29	NDPERS	14.65
34330	1 More Photo	80.00
31	2016 Electrical Upgrade	8,000.00
32	Acme Tools	647.50
33	Advanced Engineering &	2,048.09
34	Airborne Custom Spraying, Inc.	2,907.15
35	AmeriPride Services, Inc	189.78
36	Aqua-Pure Inc.	2,127.52
37	Border States Electric Supply	7,591.36
38	Cardmember Service	2,603.22
39	City of Fargo	42.00
34340	Consolidated Waste, LTD.	17,274.50
41	Dakota Supply Group	565.97
42	Discovery Benefits, Inc	11.00
43	Ethanol Products, LLC	1,159.93
44	Ferguson Waterworks #2516	3,400.48

45	Graymont (WI) LLC	5,709.41
46	Shirley Gustafson	58.20
47	Hach Company	210.89
48	Jim's Super Valu	30.30
49	Larry P Flaten	100.00
34350	Light & Water Dept	3,212.12
51	Lindell's Mowing	1,000.00
52	Lon's Hardware	28.44
53	Michael Kilmer Construction	240.00
54	Municipal Utilities	161.80
55	ND Dept of Health/Chem.-Lab	32.96
56	ND One Call Inc.	37.00
57	Nodak Electric Cooperative	5,644.10
58	Northdale Oil, Inc	67.21
59	North Star Coop	97.33
34360	PDQ Sanitary Services, Inc	460.00
61	Polar Communications	154.29
62	Quill Corporation	214.56
63	Rainbow Auto Body	340.48
64	Sensus USA Inc.	1,715.95
65	Sillers, Laaveg, & Wenzel	37.50
66	Simmons Multimedia USA	42.00
67	Jake Stenerson	62.86
68	Verizon Wireless	123.39
69	Mortenson & Rygh, PTR	4,080.90
34370	Wat & Sew Imprv Dist #2015-1	6,200.00
71	Wat & Sew Imprv Dist #2016-1	9,490.00
72	Water System Repair & Replace	4,000.00
73	Water Rev Bond Fund Phase II	3,450.00
74	Water Tower Fund	16,145.00
75	Water Treatment Fund	0.00
76	Ye Olde Medicine Center	14.54
77	Hawkins Inc	2,526.49
78	Water Treatment Fund	48,339.49
7980-8018	Salaries	33,180.14
AW	US Treasury	9,258.98
AW	First United Bank ACH Chg	13.40
AW	ND ST Tax Commissioner	916.95
AW	FUB-NSF Check Returned	234.96
AW	PSN(Payment Services Network)	4.95
AW	NMPA	139,241.77

Special Funds

10086	First United Bank	5,600.00
10087	ST Improve Dist #2017-1	46,392.91
10088	ST Improve Dist #2017-2	2,992.86

10089	Sillers, Laaveg, & Wenzel	145.00
10090	Bank of North Dakota	2,102.00
10091	Bank of North Dakota	9,887.00

Debt Service & Bond Fund

6076	Advanced Engineering	46,172.91
6077	Bank of North Dakota	45,825.00
6078	Bank of North Dakota	29,650.00
6079	Kadrmass, Lee & Jackson, Inc	2,640.00
6080	Sillers, Laaveg, & Wenzel	287.50
6081	US Bank	83,206.25
6082	WC Press	285.36

PWD Larson reported both bids for the new pickup appeared to meet the bid specs. Anderson moved and Lorton seconded to approve allowing Larson to decide which bid to accept. Upon roll call vote, all voted aye. M/C.

Being no further business, the meeting adjourned at 7:21 PM.

Dan Stenvold, Mayor

ATTEST: _____
Ann Berg, Deputy Auditor