

City of Medora  
Minutes of Regular Meeting  
December 5, 2017  
(Subject to Council review and approval)

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

Minutes from the November 7 and November 14<sup>th</sup> meetings were reviewed. Tczap made the motion to approve the minutes. Second by Brannum. Motion passed unanimously.

The written ambulance and police reports for the month of November were reviewed. Chief Lapp added that seasonal officer, Alex Cogdill, has been hired by another agency.

The monthly written Engineer Report from Mike Njos was reviewed. Njos is continuing work on the Bike Path to Campground Project. The flood control slide gate and check valves have been installed.

City Attorney Kuntz reported that the Attorney General had a recent opinion regarding sales tax. Retailers must preserve their records for 3 years, 3 months. If they are preserved longer, they must be submitted to the State Tax Commissioner.

The monthly written Public Works and MCC reports were reviewed. PW Director, Dell Beach, stated the star on the hill no longer has power going to it since the cable tv building was removed. It is currently being powered from a TRMF house. Roughrider Electric can place in a meter on the hill at a cost of approximately \$30/month. It was the consensus of TRMF employees in the audience that it can continue to be powered off their property as long as there are no problems.

City Auditor, Carla Steffen, presented a memo regarding updating fire dept. air packs. Tczap made the motion to approve the purchase of 6 new air packs. Second by Brannum. Motion passed unanimously. Information was presented on the 2018 NDLC Random Drug and Alcohol Testing Program. It was the consensus of the Council to not participate. Steffen shared information regarding budget date changes beginning in 2018. A letter from NDIRF was presented stating average rates will likely increase 10-15% in 2018. Ben Brannum's and Denis Joyce's Council seats are expiring in 2018. Election date is June 12, 2018 and the earliest date to file petitions with the City Auditor is January 2, 2018. Steffen thanked Sandy Kuntz for sponsoring the City's "Eats on the Streets" table in conjunction with Cowboy Christmas. Kuntz added that she would like "Property Tax Abatements" added to the January agenda.

OB:

A paragraph was missed in the final reading of 05-2017. The error has been corrected and Kuntz stated since it was just a clerical error, it does not need to be acted on again.

Njos is looking for feedback and direction from the Council regarding the lagoon capacity study. 2 options for constructing an aeration pond within one of the cells were again reviewed. It was decided that Njos will bring engineer estimates for the options to the December 21 year-end meeting. The Council also would like Njos and Beach to get more information on the aeration pond in Beulah.

After review of information regarding FEMA flood insurance at the MCC, Slauter made the motion to discontinue the flood insurance. Second by Joyce. Motion passed unanimously.

A membership application from Vision West ND was reviewed. Joyce made the motion for the City of Medora to not become a member. Second by Slauter. Motion passed unanimously.

Ordinance 04-2017 was tabled until January so Attorney Kuntz can present a revised copy. Chuck Andrus was present to express language clarifications he would like to see in the "Outdoor Display of Merchandise" portion of the ordinance. Kuntz agreed that only a state sales & use tax license would be required, not a separate city license. He also was wondering why there would need to be a release and indemnity clause. Kuntz said its gray area that would cover the city if any items fell on city property.

There was discussion regarding the historic tree that blew down in October. It is still the consensus of the Council that nothing will be done until after it is determined if any growth will return.

NB:

Randy Hatzenbuhler, CEO of TRMF, presented a 1<sup>st</sup> draft proposal of a park and visitor center TRMF would like to place on the east side of the Badlands Motel. The City's park masterplan was shared at the TRMF June Board Meeting and received positive input. However, TRMF does not feel the west end of town, where the Family Fun Center is currently located, gets enough traffic to invest in a new park. The TRMF plan addresses the need for a welcome center and park area. They are requesting the city would vacate the east end of Broadway and 6<sup>th</sup>. Hatzenbuhler stated the plans are very preliminary and asked for input. There were several comments against vacating the street because of safety concerns. After further input and discussion, Corneil stated the project would be beneficial to the community. TRMF will keep the city updated as plans are revised.

2018 Beer and Liquor License applications were then reviewed: Boots Bar & Grill, Little Missouri Club, Badlands Saloon, Rough Riders Hotel, and AmericInn had applied for On-and Off-Sale of Beer and Liquor permits. The Medora Convenience Store had applied to sell Off-Sale Beer and Liquor. Attorney Kuntz reviewed the applications and had no concerns. Motion by Brannum to approve all Beer and Liquor applications as presented. Second by Joyce. Motion carried unanimously.

Corneil called a recess at 7:45 pm. Meeting reconvened at 7:55 pm.

Notification of SW Water rate increase for year 2018 was reviewed. The current charge of \$4.26/1000 gallons is being increased to \$4.43/1000 gallons. There was discussion about raising rates so eventually a 15% reserve could be established. Corneil suggested just increasing water rates at this time. Slauter made the motion to increase the City water rate beginning January of 2018; base rate of \$17/month (no usage in base) and \$5.00/thousand gallons. Second by Joyce. Motion carried unanimously. Sewer and garbage rates will be reviewed in January.

The annual trailer lease for Nathaniel Awender was presented for renewal. Chief Lapp presented a letter stating that he and his family have made other housing arrangements and his last day in city housing will be 12-31-17. Awender would like to move into that house and then the trailer would be available for a seasonal police officer. Corneil stated the carpets should be replaced and rooms painted in the house. Slauter recommended leaving the home open for the month of January so repairs and maintenance can be done. He also recommended renewing Awender's current lease until an exact date is established for moving into the house. Slauter made the motion to accept termination of Lapp's lease as of 12-31-17 and renew Awender's lease under same terms. Second by Joyce. Motion carried unanimously. Discussion—Lapp stated the leases currently state there is a 15- day notice to evacuate a residence and he feels it should be changed to 30 days. Motion carried unanimously. Tczap agreed to Corneil's request to check into getting the same products that were placed in the other city house. Kuntz added that modifications need to be made to the policy manual clarifying driving a city vehicle to an out of town residence. There also needs to be clarification regarding how many miles out of city limits a police officer can live. Tczap stated the Council should have known about Lapp's move before this letter was presented and there needs to be expectations for response time. Slauter added there are limited housing options in the city limits. Kuntz stated decisions don't have to be made tonight. Policy Manual modifications are tabled until the January meeting.

Raffle Application 04-2017, a request from Medora Chamber of Commerce for a raffle during Cowboy Christmas, was reviewed. Slauter made the motion to approve Raffle Application 04-2017. Second by Brannum. Motion passed unanimously.

Parade Permit 06-2017, a request from Nick Ybarra for Bold St. Nick's Fatbike race on Dec. 16, was reviewed. Brannum made the motion to approve Parade Permit 06-2017. Second by Joyce. Motion passed unanimously.

Christmas bonuses for full-time employees were reviewed. Joyce made the motion to give bonuses of \$150 base plus \$25 for each year of service. Second by Tczap. Motion carried unanimously.

#### Misc. Business:

Karen Putnam requested signage in front of post office clarifying parallel parking only. The 10- minute parking sign also is broken off. Slauter made the motion for Dell Beach to install a "10-minute Parallel Parking" sign where previous sign had been. Second by Tczap. Motion carried unanimously.

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

2826	HEALTH CHEMISTRY LAB	200.09
2827	ND RURAL WATER SYSTEMS ASSOC	235.00
2828	ND WATER USERS ASSOC.	100.00
2829	SOUTHWEST WATER AUTHORITY	3282.34

16184	APEX Engineering Group	393.50
16185	BELFIELD AUTO SUPPLY, INC	162.05
16186	BILLINGS COUNTY PIONEER	290.32
16187	BLACK MOUNTAIN SOFTWARE, INC.	5936.00
16188	BORDER STATES ELECTRIC SUPPLY	217.65
16189	CORDOVA CONSTRUCTION	3089.00
16190	DAKOTA DUST-TEX, INC.	318.95
16191	FARMERS UNION	2124.00
16192	FISCHER SAND AND GRAVEL	574.05
16193	MENARDS-DICKINSON	211.66
16194	MIDSTATE TELEPHONE COMPANY	680.19
16195	PRODUCTIVITY PLUS ACCOUNT	34.38
16196	SOUTHWEST BUSINESS MACHINES, INC	537.35
16197	SOUTHWEST WATER AUTHORITY	41.29
16198	STAPLES	146.70
16199	STEIN'S, INC	1340.16
16200	Total Safety U.S., Inc.	90.00

**Payroll and Prepays:**

11-3-17		8,261.23
11-17-17		9,908.90
November Payroll Taxes		5,920.81
16178	AFLAC	299.16
16179	Ameritas (Dental)	693.29
16180	NDPERS Def Comp	704.00
16181	NDPERS Retirement	3,109.38
16182	Avesis (Vision)	75.29
16183	NDPERS Health Insurance	7,740.01
16168	AT&T Mobility	312.86
16169	AT&T Mobility	134.24

Mayor Corneil read the announcements noting the year-end meeting will be December 21 @10:00 a.m. A date for the January meeting needs to be decided on. It was the consensus of the Council to move the January regular council meeting to Thursday, January 4 @ 6:00 p.m. The agenda deadline will be Wednesday, Dec. 27 @ noon. Slauter added that he attended a D.O.T public input session on the west bound Medora exit. It will be closed April & May of 2019 for repairs. There being no other business, Brannum motioned to adjourn. With no objection, meeting was adjourned at 9:30 p.m.

ATTEST: \_\_\_\_\_ Todd Corneil, Mayor

ATTEST: \_\_\_\_\_ Carla Steffen, Auditor