# City Commission MeetingValley City, North Dakota

## Tuesday, February 16th, 2021

*Via Zoom*

President Carlsrud called the meeting to order at 5:00 PM.

Members present: President Carlsrud, Commissioner Magnuson, Commissioner Bishop, Commissioner Erickson, and Commissioner Gulmon.

Others present: City Administrator Crawford, City Attorney Martineck, Finance Director Richter, City Assessor Hansen, Fire Chief Magnuson, Police Chief Hatcher, Sanitation Supervisor Swart, City Engineers Chad Petersen and Tracy Eslinger, Jennifer Feist, Tyler Marthaler, Tony Shooshani

#### Approval of Agenda

Remove contingency on NB-5

#### Approval of Minutes

Commissioner Magnuson moved to approve the minutes from the January 19th meeting, seconded by Commissioner Gulmon. Motion carried.

#### Approval of Consent Agenda

A. Approve Electrician, Plumber and/or Mechanical Contractor License(s) for the following businesses:

* 1. Bakkegard & Schell, Inc.
	2. Peterson Mechanical Inc.
	3. Kohn Electric LLC
	4. Enterprise Electric, Inc
	5. Keith’s Air Conditioning, Refrigeration & Heating, Inc.
	6. Hi-Line Electric, Inc.
	7. Bentsen Electric
	8. Dakota Electric Construction
	9. Hope Electric
	10. Scott’s Electric
	11. BDT Mechanical
1. Approve Raffle Permit for the following:
	1. Dakota Plains Ag
	2. Valley City Music Boosters
	3. District 24 Republicans

Commissioner Bishop moved to approve, seconded by Commissioner Erickson. Motion carried.

#### Ordinance

**Approve first reading of Ordinance 1073, an Ordinance enacting new section of Valley City Municipal Code related to demonstrations and assemblies.**

City Attorney Martineck stated based on some of the activity in town that we’ve seen over the last 9-10 months it seems we’re at the point where we need to regulate the way people are picketing and protesting. A lot of research went into this to protect people’s freedom of speech but when it gets to the point that it turns into harassment and threatening behavior we have to start looking at it differently. This ordinance puts restrictions on time sand places where a person can set up to protest or picket. If they do plan to set up a picketing or protesting event they’re supposed to notify the PD in advance. If there’s any intent to use a noise amplifying device that would be prohibited during certain hours. It’s basically put in place to protect the public that’s coming into City Hall and other government buildings, schools and the court house. They are here to do legitimate business and it is here to protect the employees and other officials that work at those places so they can get their work done without being harassed at those places. Anybody that violates this ordinance would be guilty of an infraction which has a maximum of a $1000 fine, no jail time involved so it would be up to the court to determine what the fine would be.

Commissioner Bishop moved to approve, seconded by Commissioner Gulmon. Motion carried.

#### New Business

**Approve the VCBCDC request for $16,254.**

Jennifer Feist stated we had received approval for small project funding. I should have included the I-94 corridor, the property we own. We do pay taxes out of that fund for a couple of other properties so this would reimburse us for $8,000 last year and the $8,500 this year. What we’ll end up doing is just return the 2020 dollar amount to the taxing authorities.

Commissioner Magnuson moved to approve, seconded by Commissioner Gulmon. Motion carried

**Approve changing the April 20th Commission meeting to April 19th to allow for NDLC training.**

Commissioner Bishop moved to approve, seconded by Commissioner Gulmon. Motion carried.

**Approve to move forward with 2021 Main Street Seal Coat Project.**

City Administrator Crawford stated going forward as a project is done we will have a motion that straight out says what is being approved to make it easier if we have to track it back.

Commissioner Gulmon moved to approve, seconded by Commissioner Magnuson. Motion carried.

**Discuss City Mask Plan.**

President Carlsrud stated our mask mandate expires so we have three choices. We can wait until Friday and allow it to expire, have action today to end it today or have action to extend.

Commissioner Magnuson moved to ending it today, seconded by Commissioner Bishop. Motion carried.

Commissioner Gulmon stated recently the CDC had a statement that they are encouraging people to wear masks to mitigate the COVID. Speaking with Theresa at CCH she had indicated that out of 1291 people over 75 about 51% had been vaccinated, and from 65-74 almost 31% had been vaccinated. There is certainly reason to still wear masks to protect those vulnerable people but I understand that we’re getting tired and maybe need to take a break. If the numbers go back up we may need to address it again.

City Attorney Martineck stated we had the original emergency COVID declaration back on March 17th and then we had the mask plan emergency order that went into place on October of last year. My understanding is that the motion made today will end the mask plan but leave the original emergency plan in place. If that is not the intent we would want a clear motion of what the intent was.

Commissioner Magnuson clarified his motion is to end the mask mandate, seconded by Commissioner Bishop. Motion carried.

**Approve Recommendation from Renaissance Zone Authority Board to approve application by Valley Bridges Properties, LLC at 753 8 ½ Ave NW for the 5 year property tax and 5 year income tax exemption up to $300,000 for construction of new home and designate it as VC-127.**

Finance Director Richter stated we received the Certificate of Good Standing so we remove that contingency.

Tyler Marthaler from the RZ Board stated Tony Shooshani is the owner of Valley Bridges Property is on the call as well and can answer questions.

Commissioner Gulmon questioned that he thought the maximum was $250,000.

Finance Director Richter stated the increase was approved by Commission action.

Commissioner Bishop moved to approve, seconded by Commissioner Magnuson. Motion carried.

**City updates & Commission Reports**

**City Administrator Crawford** updated that the Chamber Bucks promotion is going well. There were a few people that were having issues getting in there between 9-3 and if there is anyone that cannot make it between those times they need to call the Chamber and they will make arrangements to help them. We are also working with a company called LoadPass. It’s a group out of western ND that has been slowly making their way east. They do the overweight permits for you. Previously we charged $25 for someone that called in for an overweight permit but we weren’t charging for the actual fees for the overweight portion. LoadPass would do that for us. We’ve been working with Clint and Kevin on a list of things we think are necessary and issues they have for the water tower. Once we get that we will bring in KLJ/Moore to go over that when it’s complete. Brenda has been working with KLJ/Moore on getting the information out for the 7th Ave project. In the information we will include that PW is testing for lead lines and there may be some money available for reimbursement to those that replace them and also shallow lines. Also want to thank all the employees that have been out in the cold weather.

**City Attorney Martineck** stated if you recall at the last meeting we had the first reading of the ordinance regarding wireless communication technology. We have received a lot of good feedback regarding the provisions that went into the ordinance and the contract with DOT. Hopefully we will have all the issues resolved and put in front of the commission in March again

**Finance Director Richter** stated in a previous meeting we had an application request for a PILOT for Trademark Tooling which was approved contingent on receiving the a copy of the lease on the building. We have received it and will be setting up for a public hearing.

**Sanitation Supervisor Swart** added that we are still looking for a Sanitation Specialist I so if you know anybody please send them our way. Thank you to our garbage crew for all their hard work and being able to muddle through all this cold weather.

**Fire Chief Magnuson** just a reminder it is still cold out. Check your sewer and furnace vents and remember to change your filters. Also add water to your drains to keep the sewer gas from coming up.

**Chad Petersen** stated 6th St NW we had a scoping meeting and discussed the vision for that project. We are currently working on the dates and times for the public involvement meeting which will probably be in March some time.

**City Administrator Crawford** added that we are doing the bid opening for the 7th Ave project on February 26th at City Hall.

**Commissioner Gulmon** stated the Chamber Bucks that have been issued for the Love of Local program is $242,000 so there’s lots of opportunity left. Shout out to Marshall and his staff for handling the recent mandatory blackouts that are happening. I’m sure their phones were ringing off the hook.

**Commissioner Erickson** thanks to the city crews for working out in this cold.

**President Carlsrud** thanks to the employees in general for getting out in the cold and going to and doing your job. Today was a unique experience in the electrical department. It was levels above us and nobody had any control over the black outs. The communication was poor but I assure you it was not the city that was causing the poor communication. They have been working hard at getting any information they can.

#### Adjourn

Meeting was adjourned at 5:48 P.M.

Attested to by:

Avis Richter, Finance Director Dave Carlsrud, President of the

City of Valley City City of Valley City Commission