# City Commission MeetingValley City, North Dakota

## Tuesday, October 3, 2023

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

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

Others: City Attorney Martineck, City Administrator Crawford, Finance Director Klein, Administrative Assistant Hintz

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

**Move N1 and Oath of Office. Add N6. And N7.**

Commissioner Bishop moved to approve, seconded by Commissioner Gulmon. Motion passed unanimously.

**APPROVAL OF MINUTES**

Commissioner Erickson moved to approve the minutes from the September 18, 2023 Commission Meeting and the September 26, 2023 Special Meeting Commission Meeting, seconded by Commissioner Magnuson. Motion passed unanimously.

**APPROVAL OF CONSENT AGENDA**

**Approve Monthly Reports from the Fire Chief, Electrical Superintendent, Building Inspector Finance Director.**

**Approve 2023-2024 Application for Contractor License for Allstar Construction Residential Operating Company, LLC.** Contingent on Insurance Certificate listing Valley City as certificate holder.

**Approve 2023-2024 Renewal Application for Contractor License for Scherbenske Inc.**

**Approve Raffle Application for St. Catherines School Fall Auction on November 11, 2023 at the Valley City Eagles.**

Commissioner Gulmon moved to approve, seconded by Commissioner Bishop. Motion passed unanimously.

**NEW BUSINESS**

**Appoint Chief of Police Nicholas Horner.**

Commissioner Bishop moved to approve, seconded by Commissioner Gulmon. Roll Call Vote:

Erickson – Nay Bishop – Aye Magnuson – Aye Gulmon – Aye Carlsrud - Aye

**OATH OF OFFICE**

**President Carlsrud swore in Nicholas Horner as Police Chief.**

**PUBLIC HEARING**

**Public Hearing Regarding Special Assessment Projects:**

**Paving Improvement District No 123, Water Main Improvement District No 102, Sanitary Sewer Improvement District No 66 - *6 St NW Reconstruction***

**Paving Improvement District No 124 – *12 St N Mill & Overlay***

**Paving Improvement District No 122 – *East Main St Seal Coat***

President Carlsrud declared the public hearing open.

There were no protests.

Commissioner Magnuson motioned to close the public hearing, seconded by Commissioner Bishop. Motion passed unanimously.

**Approve Special Assessments as recommended by the Special Assessment Commission for Paving Improvement District No 123, Water Main Improvement District No 102, Sanitary Sewer Improvement District No 66, Paving Improvement District No 124, and Paving Improvement District No 122.**

Commissioner Bishop motioned to approve assessments as presented, seconded by Commissioner Magnuson. Motion passed unanimously.

**ORDINANCE**

**Approve Second and Final Reading of Ordinance 1141, an Ordinance Adopting the 2024 City Budget.**

Finance Director Klein reviewed the updated value of a mill computed by the county which is $22,546.00. Increased the amount levied for the Library by $1000.00, new amount for the Library is $181,600.00. Total amount levied is $1,735,000.00.

Commissioner Gulmon moved to approve, seconded by Commissioner Magnuson. Motion passed unanimously.

**Approve First Reading of Ordinance No. 1142, an Ordinance to Amend and Reenact Section 1-01-16 of the Valley City Municipal Code Relating to Purchasing.** City Attorney Martineckstated that this policy needs to be put into code to have the force of law backing it. By putting our policy into code, it allows Valley City to continue to do what we are already doing.

Commissioner Bishop moved to approve, seconded by Commissioner Magnuson. Motion passed unanimously.

**Approve First Reading of Ordinance No 1143, an Ordinance to Amend and Reenact Section 4-01-01 of the Valley City Municipal Code Relating to Owners of Premises Licensed for Retail Sale of Alcoholic Beverages**. City Attorney Martineck explained that the definition of “Owner” should be removed from code. There is no reason to have it defined.

Commissioner Erickson moved to approve, seconded by Commissioner Bishop. Motion passed unanimously.

**Approve First Reading of Ordinance No 1144, an Ordinance to Amend and Reenact Section 14-35-12 of the Valley City Municipal Code Relating to Enforcement of Parking Tickets.** City Attorney Martineck discussed the changes to the current Parking Ticket Enforcement and the proposed changes in this Ordinance.

Commissioner Bishop moved to approve, seconded by Commissioner Gulmon. Motion passed unanimously.

**RESOLUTION**

**Approve Resolution 2420, A Resolution Approving Engineers Report and Directing Preparation of Detailed Plans Specification and Estimate of Probable Costs for Paving Improvement District No. 128, Watermain Improvement District No. 105 and Sanitary Improvement District No. 69.** Engineer Petersen reported that this is the resolution part of the project for Special Assessments. Commissioner Erickson moved to approve, seconded by Commissioner Magnuson. Motion passed unanimously.

**Approve Resolution 2421, A Resolution Declaring Necessity of Improvements in Paving Improvement District No. 128**. Engineer Petersen reported that this will start the 30-day protest period of the project. There will be a public informational meeting held during this period.

Commissioner Bishop moved to approve, seconded by Commissioner Gulmon. Motion passed unanimously.

**NEW BUSINESS**

**Approve Monthly Bills for the City and Public Works in the Amount of $1,862,579.66.**

Commissioner Magnuson moved to approve, seconded by Commissioner Bishop. Motion approved unanimously.

**Approve Site Authorization for ND Wildlife Federation at the VC Eagles on April 6,2024.**

Commissioner Gulmon moved to approve, seconded by Commissioner Magnuson. Motion approved unanimously.

**Approve First Addendum to Landfill Use Agreement with VC.**

Public Works/Account Manager Jacobson reported on the Landfill Use Agreement with Fargo. This will extend our current agreement while we work through this search.

Commissioner Bishop moved to approve, seconded by Commissioner Erickson. Motion approved unanimously.

**Approve Cost-Share Agreement with the Department of Water Resources Consolidating Permanent Flood Protection Projects.** Finance Director Klein explained that this is just a consolidation of the current projects.

Commissioner Magnuson moved to approve, seconded by Commissioner Erickson. Motion approved unanimously.

**Approve Change Orders for 2nd Ave NE/3rd St NE Reconstruction Project # SU-CRP-CPU-2-990(062).** City Administrator Crawford discussed the change orders for this project. The electric utility manholes that needed to be replaced, these funds, $24,630.00, will come out of the Electric Fund. $13,770.00 for the drainage modifications near the Police Department. The current drainage needed to be corrected and joined into the storm sewer system. The final change orders for $18,602.00 are the vaults found in the sidewalk area by the ARC.

Commissioner Bishop moved to approve, seconded by Commissioner Magnuson. Motion approved unanimously.

**Approve Change Order No. 2 for Consolidated Sewer & Water District No. 59.**

City Administrator Crawford shared that after receiving more information on the project we are looking at decreasing 12 days of LDs and approving the change orders for $11,016.97.

Commissioner Magnuson moved to approve, seconded by Commissioner Gulmon. Motion approved unanimously.

**CITY ADMINSTRATOR REPORT**

Congratulations to the Electric Department who received the 2023 WattStar Award at the MRES Conference for their Christmas Tree Lighting and Celebration in Valley City. Mr. Wick reported that there is progress in the area at Viking Court, the contractor should complete the installation in 2 – 3 weeks once all the supplies are available. An update was given on the street project happening on 2 Ave NE.

**CITY ATTORNEY REPORT**

With the appointment of Chief Horner and another Officer leaving, the Valley City Police Department is now down 2 Officers and will be hiring. ChiefHorner will be covering shifts until the positions are filled.

#### **CITY UPDATES & COMMISSION REPORTS**

Fire Chief Magnuson wanted to remind all that Fire Prevention Week starts on October 8. Please check your smoke detectors and remember to Thank a Fire Fighter or First Responder for all that they do as well as their Families and Employers. Battle of the Badges will be taking place October 10 and 11 at Stoudt/Miller. Donate and vote Team Fire!

Police Chief Horner wants to remind all to be safe and alert as people are out and about trying to enjoy this last bit of nice weather. Battle of the Badges, donate and vote Team Law!

Engineer Petersen updated on the project currently taking place on 2nd Ave NE.

Engineer Eslinger reported that they did receive a signed contract from the Department of Environmental Quality for the water service line inventory. Moore will be working on that inventory.

Commissioner Gulmon gave a short review of the financials through August 31. Sales tax is down compared to 2022.

Commissioner Bishop welcomed Nick and sent thanks to all the Fire fighters.

Commissioner Magnuson congratulated Nick and gave a thank you to the committee that gave their time to interview and find our new Police Chief.

President Carlsrud again welcomed and Congratulated Nick. Gave a thank you to those that served on the search committee for all your time. To all of the Employees thank you and proud of the work you do. Thank you to the Commissioners for their time.

**ADJOURN**

Meeting was adjourned at 4:44 PM.

Attested to by:

Brenda Klein, Finance Director Dave Carlsrud, President of the

City of Valley City City of Valley City Commission