

**CITY COMMISSION MEETING
VALLEY CITY, NORTH DAKOTA**

Tuesday, May 17th, 2022
5:00 PM

The City Commission Meeting will begin on Tuesday, May 17th, 2022 at 5:00 PM CT, at the City Commission Chambers, 254 2nd Avenue NE, Valley City, ND.

The meeting is also available to view online <https://us06web.zoom.us/j/84415887664> or listen by calling (1 346 248 7799) Webinar ID: 844 1588 7664.

Board of City Commissioners	Role	Department Supervisor	Role
Dave Carlsrud	President	Gwen Crawford	City Administrator
Duane Magnuson	Commissioner	Carl Martineck	City Attorney
Michael Bishop	Commissioner	Avis Richter	Finance Director
Jeffrey Erickson	Commissioner	Sandy Hansen	City Assessor
Dick Gulmon	Commissioner	Gary Jacobson	Public Works
		Scott Magnuson	Accountant/Manager
		Phil Hatcher	Fire Chief
		KLJ/Moore	Police Chief
			City Engineers

NEXT RESOLUTION NO. 2364

NEXT ORDINANCE NO. 1105

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE (PLEASE STAND)

PEGGY LEE 102 DAY PROCLAMATION

APPROVAL OF AGENDA

APPROVAL OF MINUTES

Approve minutes from the May 3rd Finance and Commission Meeting minutes and the May 10th Special Commission Meeting minutes.

APPROVAL OF CONSENT AGENDA

- A. Approve Application for Electrician Plumber and/or Mechanical Contractor Renewal for the following:
 - a. Keith's Air Conditioning, Refrigeration & Heating, Inc.
 - b. Energize Electric LLC
- B. Approve Application for Tobacco License Renewal for the following:
 - a. Petro Serve USA #071
 - b. Love's Travel Stop #849
 - c. CHS Inc.-151 9th Ave NW
 - d. CHS Inc.-807 Main St.
 - e. Family Dollar, Inc.
 - f. Leever's Foods
 - g. The Liquor Locker
- C. Approve Application for Alcohol Beverage License Renewal for the following:
 - a. The Liquor Locker
 - b. Sabir's Dining & Lounge
- D. Approve Application to Block off 6th Ave SW from 4th St. SW to Viking Drive for the Let's Walk Valley City Event being held on Monday, July 18th, 2022 from 5 p.m. to 8 p.m.
- E. Approve Special Alcohol Event Application for The Labor Club on June 17th and 18th from 6 p.m. to 1 a.m. for the Rally in the Valley.
- F. Approve Application for Raffle Permit for the following:
 - a. Hi Liner Booster Club from July 1, 2022-June 30, 2023 at Hanna Field and the Hi Liner Activity Center.
 - b. Litchville High School 7-Class Reunion in July 16th, 2022 at the Valley City Eagles Club.

Roll Call: Erickson Gulmon Bishop Magnuson Carlsrud

PUBLIC COMMENTS

Attorney General's "A Citizen's Guide to North Dakota Open Records & Open Meetings Laws" **A member of the public does not have the right to speak to the governing body at an open meeting. The public is only entitled to see and hear what happens at a meeting, and to record or broadcast those observations.*

- ✓ No personal attacks to persons present or not
- ✓ No inflammatory language used during time that you have the platform

- ✓ 5-minute maximum or as directed by the chair
- ✓ Thank you for participating in City Government.

ORDINANCE

1. Approve Second and Final Reading of Ordinance 1103, an Ordinance to Amend and Reenact Chapter 15-06 of the Valley City Municipal Code related to Excavating and Cutting Streets and Right of Way. *(City Attorney Martineck)*
 Roll Call: Gulmon Bishop Magnuson Erickson Carlsrud

NEW BUSINESS

- N1. Motion to hold Executive Session for Attorney Consultation to Consider Appeal of Order Granting Plaintiff's Motion for Summary Judgment in Favor of Associated General Contractors of North Dakota (re City's GSA contracting ordinance) as Authorized by NDCC Section 44-04-19.1(2), Attorney Consultation.

Roll Call: Magnuson Erickson Gulmon Bishop Carlsrud

Consider Appeal of Order Granting Plaintiff's Motion for Summary of Judgment in Favor of Associated General Contractors of North Dakota (re City's GSA contracting Ordinance)

Roll Call: Gulmon Bishop Magnuson Erickson Carlsrud

- N2. Approve Transfer Request for Liquor and or Beer License and Application for Alcoholic Beverage License from Kerry Anderson (current owner of The Labor Club) to Donald and Bonnie Larson (new owners of The Labor Club) effective July 1st, 2022. *(City Attorney Martineck)*

Roll Call: Erickson Gulmon Bishop Magnuson Carlsrud

- N3. Consider request from Valley City-Barnes County Development Corporation for \$30,000 to assist with the hill slide issue impacting Malach USA. *(Jennifer Feist)*

Roll Call: Gulmon Bishop Magnuson Erickson Carlsrud

- N4. Approve Draft of Ordinance 1102 to be Published prior to June 14, 2022 Advisory Vote: Extension of Sales, Use and Gross Receipts Taxes Dedicated to City Infrastructure Renewal and Replacement Projects. *(City Attorney Martineck)*

Roll Call: Bishop Magnuson Erickson Gulmon Carlsrud

- N5. Approve Draft of Ordinance 1104 to be Published prior to June 14, 2022 Advisory Vote: Extension of Sales, Use and Gross Receipts Taxes Dedicated to Economic Development, Basic Industry, Job Development, Tax Relief Infrastructure, Other Special Request, Service and Retail Business Development. *(City Attorney Martineck)*

Roll Call: Erickson Gulmon Bishop Magnuson Carlsrud

- N6. Approve Site Authorization Renewals for the Valley City Hockey and Figure Skating Club at Valley City Town and Country Club and the Youth Sports Complex. *(Finance Director Richter)*

Roll Call: Magnuson Erickson Gulmon Bishop Carlsrud

- N7. Request Cost Share from ND DWR to buy out 636 E Main Street for Assessed Value + 10% for a total of \$86,130. *(City Administrator Crawford)*

Roll Call: Bishop Magnuson Erickson Gulmon Carlsrud

- N8. Request Cost Share from ND DWR to buy out 469 8th Ave NE for Assessed Value + 10% for a total of \$41,140. *(City Administer Crawford)*

Roll Call: Gulmon Bishop Magnuson Erickson Carlsrud

- N9. Approve Construction Engineering Task Order for 12th St N Mill and Overlay and 8th Ave SW/Winter Show Rd turn lanes (Paving Imp. Dist. No. 124 – NDDOT Project No. SU-CVD-2-990(061), PCN 23233). *(City Engineer)*

Roll Call: Erickson Gulmon Bishop Magnuson Carlsrud

- N10. Consider Flood Wall Panel Rack Bid. *(City Administrator Crawford)*

Roll Call: Magnuson Erickson Gulmon Bishop Carlsrud

- N11. Approve the City's Selection to Purchase the Low Bid for Digger Truck in the Amount of \$304,625. *(City Administrator Crawford)*

Roll Call: Bishop Magnuson Erickson Gulmon Carlsrud

CITY ADMINISTRATOR'S REPORT

CITY UPDATES & COMMISSION REPORTS

ADJOURN