# City Commission MeetingValley City, North Dakota

## Tuesday, May 4th, 2021

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, Deputy Auditor Klein, City Assessor Hansen, PW Supervisor Jacobson, Fire Chief Magnuson, Police Chief Hatcher, City Engineer Chad Petersen, John Hill, Amy Pederson(VCPR), Mike Strom(KLJ).

#### call to order

Meeting was called to order at 5:00 PM

#### Pledge of Allegience

#### Approval of Agenda

Add N11.

#### Approval of Minutes

Commissioner Bishop moved to approve the minutes from the April 13th and April 19th meetings, seconded by Commissioner Magnuson. Motion carried.

#### Arbor Day Proclamation

#### Approval of Consent Agenda

1. Approve Monthly Reports from the Fire Chief, Building Inspector, Auditor, Municipal Judge and Public Works Accountant.
2. Approve Monthly Bills for the City and Public Works in the Amount of $3,519,166.04

1. Approve Application to Block Off Street for VCSU-VC Activities Board from 3 PM to Midnight on May 5th for the End of Year Street Dance on 2nd Ave SW, East Side of the Student Center and Library.

2. Approve Application to Block Off Street for Sheyenne Valley Soapbox Derby Association for the Soapbox Derby Race held from 6 AM to 6 PM on June 5th, Central Ave from 3rd St to 9th St.

3. Approve Raffle Permit for Bridge City Cruisers.

4. Approve Raffle Permit for Fraternal Order of Police James/Valley Lodge #4.

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

#### Ordinance

**Approve First Reading of Ordinance No. 1074, an Ordinance enacting a new section of the Valley City Municipal Code relating to Wireless Telecommunication Facility Guidelines.**

City Attorney Martineck stated no changes from the first reading. This allows the Auditor Department to determine when the contractor licenses are due.

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

**Approve Second and Final Reading of Ordinance No. 1078, an Ordinance to Create and enact Section 15-01-12.1 re Tax Assessment of Unpaid Utility Charges.**

City Administrator Crawford stated this is the ordinance we spoke about that if an account hasn’t been paid we will put it on the property. We are still working out the details but the ordinance would be okay the way it is. We would also give notice to the land owners so they have until January to get everything figured out.

City Attorney Martineck stated no changes from the first reading.

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

**Approve Second and Final Reading of Ordinance No. 1074, an Ordinance Enacting a new section of the Valley City Municipal Code relating to Wireless Telecommunication Facility Guidelines.**

City Attorney Martineck stated a few minor changes since the first reading based on comments received from our City Planner, Joel Quanbeck. Administrative changes in wording and also clarification that this does not apply to WiFi businesses provide to their customers. There was a provision for a noise study to be done at Commission request. It was originally stated that within 20 feet of a residential structure they could request a noise study. We got rid of that and now they can request a noise study within any distance.

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

**Approve Second and Final Reading of Ordinance 1075, an Ordinance Amending and Reenacting Sections of Titles 7 and 11 of the Valley City Municipal Code Related to Building Permits and Zoning Code Violations.**

City Attorney Martineck stated no changes from first reading. This is giving some more avenues for our Planning and Zoning committee to enforce.

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

**Approve First Reading of Ordinance 1079, an Ordinance Amending and Reenacting Section 12-02-01 of the Valley City Municipal Code re Property Maintenance definitions.**

City Attorney Martineck stated in our ordinance we have various definitions for what junk is. We are trying to expand the definition a bit for some things that are out on private property like old tools, tires, ashes and debris etc.

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

#### Resolution

 **Approve Resolution 2294, a Resolution Authorizing Filing of Application with NDDOE for Clean Water & Drinking Water Loan.**

Deputy Auditor Klein stated this is just to get the ball rolling on this application. It’s a low interest loan for what we assess the property owners for the sewer, water and storm sewer. It gives us a better interest rate that we can pass on to the property owners.

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

#### New Business

**Approve Designating Funds from the Cares Act Relief Funds in the amount of $25,000 for Lights to Place on the Elks Foot Bridge and in Veterans Park and $5,000 for the VC Park District to add concrete corn hole games to Chautauqua Park.**

City Administrator Crawford stated we want to make sure that the $25,000 is for lights and other decorations so if we don’t use it all on lights we can use it in other places. There are currently 12 horseshoe games and you would be changing out 4 of those for cornholes and the reason you are coming to the City is because of the large loss you had last year due to covid.

Amy Pederson from VCPR stated right now if people wanted to rent bags right now the plan is to have them at the Wellness Center.

Commissioner Gulmon moved to approve with the addition off the additional decorations to be added with the lights, seconded by Commissioner Bishop. Motion carried.

**Approve Recommendation from Renaissance Zone Authority Board to approve application from John Hill for the 5 year property tax and 5 year income tax exemption up to $300,000 and designate it as VC-128.**

Deputy Auditor Klein stated this is approved by the RZ Board for a new home John will build. John is here if you have any questions.

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

**Approve Recommendation from Renaissance Zone Authority Board to approve four applications from Legacy Developments for the 5 year property tax and 5 year income tax exemption up to $300,000 each, contingent on receiving their Certificate of Good Standing, and designate them as VC-129, VC-130, VC-131 and VC-132.**

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

**Amend City Administrator’s Contract.**

City Attorney Martineck stated the purpose of the contract is to correct a discrepancy in the original contract so City Administrator Crawford will get her entire allotment of vacation at her anniversary date and start accruing annual leave like every other employee.

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

**Approve Bluescope Contract.**

City Administrator Crawford stated she would like the Commission to approve the contract that was provided in the materials. It has the final amount, the only thing that might change is if there is anything to do with the additional 12 feet. Carl has sent it to our Zoning Official to make sure everything is correct.

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

**Amend Resolution 2292, a Resolution Approving Plat of Hyland Park District.**

City Administrator Crawford stated there was just some clarity that needed to be made. One of the parts that was very important to the P&Z is having sidewalks as the ordinance has stated. They were understanding that they didn’t need any there because they didn’t go anywhere. Bruce has found a way to add the sidewalks so we are asking for the amendment.

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

**Approve offer for purchase of property located at 476 5th Ave NE.**

City Administrator Crawford stated there was an offer for that property for $5000, they are aware that it is in a floodplain so there will be some restrictions. They will be working with the school so the Vo-Tech will be building that on the land. They are also aware that the water and sewer have concrete in them, they were not just blocked off.

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

**Approve Preliminary Design Engineering Agreement for Water/Sanitary Sewer Extensions to Nextera Addition.**

Chad Petersen from KLJ stated included in your packet is a contract as well as a location map where the extensions are. Basically it’s taking the water and sewer from the north across interstate. The contract prepares the detail plans and specification for bidding purposes as well as the permits from the NDDOT for the interstate crossing and utilities.

City Administrator Crawford stated the reason she asked Chad to bring this agreement today was they will not be doing the work until this is done. The day it’s finalized we don’t have any extra time. Right now there was a traffic study that was done from their engineer turned into the DOT, the DOT went to the state and there were some discrepancies that are not okay with the current owner. They’re trying to work through those and negotiate that. We do thing that we’ll be able to find a solution but that’s been holding things up and as soon as we’re ready to go, it’s going to go fast. If everything goes right we want the walls up before winter and they can work inside during the winter. We had meetings with the owners and Barnes Rural Water as well and got them to agree to give use those easements as long as everything moves forward.

Commissioner Bishop asked if they will put sleeves under the interstate.

Chad responded that they are working the details. The material they used for the water main at Love’s the material used for that didn’t need a casing pipe so we’re going to look at that.

Commissioner Magnuson moved to approve, seconded by Commissioner Bishop.

Roll Call: Bishop-aye Gulmon-aye Erickson-nay Magnuson-aye Carlsrud-aye

**Approve Site Authorization Renewal for Valley City Baseball Association at The Clubhouse Lounge from 7/1/2021 through 6/30/2022.**

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

**Discuss VCFD GMC Commercial Rescue Contract.**

City Administrator Crawford stated the Rescue Department has found a vehicle that they feel they cannot pass up for the price. Through the budget found that they could put the down payment on it this year and cover the rest next year when we receive the truck.

Commissioner Bishop stated he thinks it’s a good purchase for the FD given the fact that rescue calls are going up. We all know that time means lives. The more time that they have to find the equipment at the haul and load it in the back of the truck when all of it can just be stored on the truck saves a lot of time.

Commissioner Gulmon stated he was unsure of this project coming into this meeting. We just spent a lot of money on the addition to the fire hall but after listening to the comments today and this money is in the budget, it’s hard to say no when it can affect lives so I changed my mind after hearing the conversations.

Commissioner Magnuson declared conflict and abstained from voting.

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

#### City updates & Commission Reports

**City Administrator Crawford** reported we are still working on the policies and procedures working through for junk. The police and fire department have stepped up for their portion of these and are all doing a great job and as we keep finding every day, there is something new that we have to take on. Rest assured everyone is being treated the same. There are actual policies in place so if someone thinks it’s not fair because someone else gets to do something, it just takes time for us to get to that portion. It won’t happen overnight, we are taking care of things as they are brought to our attention. Another thing that was brought to our attention was that we have some encroachments on Main. First it started in 2009 than in 2011 it was brought up from the information and were working with Dave Anderson. He had them identified and letters were written up, there’s just some question on what happened after that. First were going to go over what we’re looking at and then we’ll have Lance start working on getting those cleaned up. It affects your federal funding if it’s not cleaned up. Some are as simple as a sign needs to be permitted correctly. There was a list of 40 properties, we cleaned up 6 and added 4. Some were as simple as moving a movable sign.

Also working on the policies on utilities. Carl has some concerns on making sure we can actually move forward with enforcement and so we have some other cities we are working with that do the same thing so we just want to make sure our policy is correct.

An update on the storage building, we signed a purchase agreement. KLJ got the information to the State Water Commission for us so we cannot purchase anything until we’re approved for that.

**City Attorney Martineck** stated as far as ordinance changes, we’re looking at a couple different ordinances coming up. There has been some ongoing issues with cleanup in our mobile home parks so we’re working on that. There have also been issues with clean up for fire damaged properties. Joel Quanbeck has some good ideas for updating our zoning codes so those will be discussed at our next PZ meeting.

**Deputy Auditor Richter** stated we do have a meeting tomorrow night at 5:30 for the informational meeting for property owners within the storm sewer. They all received a letter.

**PW Manager Jacobson** reported that we had around 950ish people sign up for emails so this will definitely help us in PW.

**Fire Chief Magnuson** thanked the Commission and everyone that helped with the addition to the building. It’s really dry out. No open burning in the city, you can have a fire pit but no burning in dikes or anything. Please use an approved fire pit and have something nearby that can put it out if it gets out of control.

**Chad Petersen** 5th Ave NW moved in a week or two ago and got started on the concrete. As of Monday all the concrete work has been completed on 5th Ave. Right now they are working on repairs before the top layer of asphalt. We’re anticipating by the end of May they should be wrapping that up. 7th Ave NW-2nd Ave NE project, they just had the preconstruction meeting for that project and they were anticipating starting a week or so ago but due to some delays in receiving some of their materials they have not started yet. They are looking at starting Monday of next week. Streetscape II project, we are looking at starting on the 17th so we will look at scheduling a preconstruction meeting for that.

**Commissioner Gulmon** the Public Library stated appointments are no longer required but are encouraged. They are increasing to 10 patrons allowed in the building at one time, 5 upstairs and 5 downstairs. They will no longer quarantine returned materials. Face masks are required, curb side service will continue.

**Commissioner Erickson** reminded everyone that clean up week is the end of the month, May 24-28. Separate your piles.

**Commissioner Bishop** shout out to the city crews. You notice that some paint has been put down, it really looks good. I know I sound like a broken record but if you see a police officer or volunteer fireman, thank them. They do a good job and a lot of times don’t get the thanks they deserve.

**President Carlsrud** the City County Health has vaccines available and they are taking walk-ins. I encourage you to get your vaccines so we can get to herd immunity. Thanks to everybody here and thanks to you that are watching. In about a year, three of us will be up for reelection, consider running.

#### Adjourn

Meeting was adjourned at 5:48 P.M.

Attested to by:

Brenda Klein, Deputy Auditor Dave Carlsrud, President of the

City of Valley City City of Valley City Commission