

City of Lidgerwood
Council Meeting Minutes

April 03, 2023

Council Room

7:00pm

Meeting was called to order by Mayor Dale Krause with Council members Kevin Oster, Richard Novotny, DuWayne Irwin, Deb Anderson, Bill Illies and Tanya Bohnenstingl present. Also present were Aaron Frolek, Ron Kill, Deputy Grenz, Gaven Steffens, and Cheryl Grenz.

Motion by Deb Anderson to accept the minutes from March 6th meeting second by DuWayne Irwin, motion carried with all in favor and none nay.

Aaron Frolek approached the Council about blocking Park St W from Wiley Ave up to the Alley for cruise nights the 1st Thursday of June, July, August and September from 5:00 pm to 9:00 pm.

Motion by Kevin Oster to block Park St West from Wiley Ave up to the Alley from 5:00 pm to 9:00 pm the 1st Thursday of June, July, August and September with the stipulation that the Council can revoke the privilege if there are issues second by Tanya Bohnenstingl, motion carried with all in favor and none nay.

The Council was informed that Tim Larson would be willing to be the building inspector for the City of Lidgerwood.

Mayor Dale Krause would like to appoint Tim Larson as building inspector for the City of Lidgerwood.

Motion by Kevin Oster to accept the appointment of Tim Larson as the building inspector for the City of Lidgerwood second by Bill Illies, motion carried with all in favor and none nay.

On behalf of Paul Even the City Auditor asked the Council if they would have an issue if he were to put up a hoop building. The Council does not have any issues with the hoop building.

Motion by DuWayne Irwin to let Paul Even put up a hoop building second by Kevin Oster, motion carried with all in favor and none nay.

The Judge's report was given by Ron Kill.

The police report was given by Deputy Grenz.

The Superintendents report was given by Gaven Steffens. Gaven talked with the Council about the estimate received from Minn-Kota Communications for new radios and that there is a grant that could help pay half the costs.

Motion by Kevin Oster to purchase the radios second by Tanya Bohnenstingl, motion carried with all in favor and none nay.

Gaven talked with the Council about a 10% increase in salary.

Motion by Deb Anderson to give Gaven another 5% increase in his salary second by Richard Novotny, motion carried with all in favor and none nay.

The Auditor discussed with the Council about getting a Cenex card for Gaven for the vehicles especially during storms and if Dakota Plains closes early due to storms.

Motion by Deb Anderson to allow Gaven to get a Cenex charge card second by Tanya Bohnenstingl, motion carried with all in favor and none nay.

There was discussion about summer part time help for Gaven. The Auditor will put an ad in the News Monitor.

The Auditor's Report was given by Cheryl Grenz.

Gaven discussed with the Council about Dakota Estates water meter needing repair or replaced.

Motion by Deb Anderson to fix Dakota Estates water meter second by Kevin Oster, motion carried with all in favor and none nay.

The bills were presented to the Council.

Motion by DuWayne Irwin to pay the bills second by Bill Illies, motion carried with all in favor and none nay.

Utility Report was given by Cheryl.

There was nothing to report for or about the Airport Authority this month.

The Housing Authority report was given by DuWayne Irwin.

There was nothing to report about the library this month.

Ordinance No. 284 was presented to the Council.

ORDINANCE No. 284
AN ORDINANCE TO AMEND THE
CABLE COMMUNICATIONS REGULATORY ORDINANCE #241

WHEREAS, Midcontinent Communications ("Midco") holds a cable communications franchise

("Franchise") for the construction and operation of a cable communications system within the City of Lidgerwood, North Dakota ("Grantor"); and

WHEREAS, the Franchise (Ordinance #241) expires on July 11, 2023; and

WHEREAS, Grantor and Midco have mutually agreed to extend the term of the Franchise by adopting this Ordinance Amendment No. 1 ("Amendment") and to make such other changes as are mutually agreed upon herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF LIDGERWOOD, NORTH DAKOTA:

1. The Term of the Franchise in Section 2, Subsection 4 is hereby amended to add an additional Ten (10) years with a new expiration date of July 11, 2033.
2. The Effective Date of this Amendment shall be July 12, 2023.

Except as expressly modified herein, all other terms and conditions of the Franchise shall remain in full force and effect. Neither party waives any rights it may have pursuant to applicable law.

Motion by Deb Anderson to agree with Ordinance to Amend the Cable Communications Regulatory Ordinance #241 second by Richard Novotny, motion carried with all in favor and none nay.

Resolution 365 was presented the Council.

RESOLUTION NO. 365

AMENDING RESOLUTION 321 ESTABLISHING CHARGES FOR DELINQUENT WATER AND SEWER ACCOUNTS

WHEREAS, the City Council of the City of Lidgerwood, pursuant to Ordinance 242 of the ordinances of the City of Lidgerwood provides that the City Council may establish charges for delinquent water and sewer accounts for water and sewer usage within or from the City of Lidgerwood by resolution; and

WHEREAS, the City Council of the City of Lidgerwood has reviewed the existing procedures and charges to the City's users;

WHEREAS, the City Council of the City of Lidgerwood has established the procedure for charges delinquent for delinquent accounts for water and sewer to be levied on all users of water and sewer system operated by the City of Lidgerwood ;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Lidgerwood, Richland County, North Dakota as follows:

Establish the procedures to determine and assess delinquent water and sewer accounts and charges for such delinquent accounts within or from the City of Lidgerwood are as follows:

Procedures and Charges

Water and Sewer bills shall be sent out the first week of the month and are due upon receipt.

A water and sewer bill not paid in full by the last day of the month in which the bill is received is considered delinquent and a disconnect notice will be sent out.

A water and sewer bill which remains unpaid in full by the 4:00 pm on 14th of the following month in which it was received shall be disconnected on the 15th for 24 hours and turned on at the earliest convenience for the City Superintendent, between the hours of 8:30am to 3:00pm.

If the 15th is on a Friday, Saturday, or Sunday the water will be disconnect the following business day.

For payment agreements you must go to the City Council. The City Council meets the First Monday of every Month at 7:00 pm in the Council room.

When a water and sewer account is disconnected your garbage will not be picked up and the security deposit shall be forfeited.

A service charge will be charged for re-connection of water and sewer usage according to the following schedule

First delinquency \$75.00

Second delinquency within a 12 month period \$100.00

Third delinquency within a 12 month period \$150.00

Upon the fourth delinquency within a 12 month period in addition to a \$200.00 service charge a security deposit may be required. A security deposit amount will be set by the City Council, after a meeting with the account holder at a regular scheduled City Council meeting.

For the first delinquency within a 12 month period, mitigating circumstances may be considered by the Mayor and/or the City Council concerning security deposit fees, and disconnection.

If for any reason a city employee cannot turn off the water supply the above procedure will be followed as if it was shut off.

Be it further resolved that the effective date of this Resolution is May 01, 2023.

Motion by Kevin Oster to approve Resolution 365 second by Richard Novotny, motion carried with all in favor and none nay.

Resolution 366 was presented to the Council.

Resolution No. 366

City of Lidgerwood Emergency Declaration

WHEREAS, City of Lidgerwood has a very high soil moisture content from the precipitation received during Fall 2022 & Winter 2022-2023;

WHEREAS, potential for severe spring flooding is significant due to spring thaw and accompanied by expected precipitation including major flooding projections for the Wild Rice River, Sheyenne and the Red River; and

WHEREAS, necessary mitigation measures preparedness actions and other responses must begin immediately to protect public health and safety; and

WHEREAS, the potential damage to public and private property in addition to roads are beyond normal anticipation and budgeted funds.

NOW, THEREFORE, BE IT RESOLVED that the Board of City Council declares an emergency and orders the activation and utilization of City Emergency Operations Plan, its procedures, attachments and appendices to monitor the situation develop and detailed damage assessment, alleviate hardship and initiate appropriate relief action and mitigation measures by department and agencies of local government to limit the hardship and impact of this emergency upon the citizens of Lidgerwood.

Motion by Deb Anderson to approve Resolution 366 City of Lidgerwood Emergency Declaration second by DuWayne Irwin, motion carried with all in favor and none nay.

Resolution 367 was presented to the Council.

Resolution No. 367

City of Lidgerwood Emergency Declaration

WHEREAS, City of Lidgerwood has received above normal snowfall for the winter season; and

WHEREAS, City of Lidgerwood has had severe temperatures down to 26 below zero, and wind speeds up to 35-48 mph; and

WHEREAS, the Richland County Highway Department and City Public Works resources are committed to keeping emergency routes open and have made an inordinate effort to try to keep roads passable. Progress is impeded due to continues periods of snowfall, blowing snow and excessive winds; and

WHEREAS, the impact of continued conditions may threaten the health, well-being and safety of the citizens of Lidgerwood; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of Lidgerwood do declare a state of emergency exists in Lidgerwood, North Dakota.

Motion by Deb Anderson to approve Resolution 367 City of Lidgerwood Emergency Declaration for Above Average Snow Fall second by DuWayne Irwin, motion carried with all in favor and none nay.

The Council was informed that there were 2 applications for the dump position.

Motion by DuWayne Irwin to hire Loren Zietlow and Nancy Boudreau to run the dump second by Tanya Bohnenstingl, motion carried with all in favor and none nay.

Council member Deb Anderson gave the Council an update of the Renaissance Zoning Plan progress.

The Council was reminded that the Equalization Meeting will be Monday, April 24, 2023 at 7:00 pm.

The Council received the handouts for the GovCard presentation that did not take place. They will review that material and discuss at the next meeting.

Council member Deb Anderson talked with the Council and showed them the ad that was created about the City of Lidgerwood to go in the Visitors Guide.

Motion by DuWayne Irwin to adjourn meeting at 9:01 pm seconded by Richard Novotny, motion carried with all in favor and none nay.

X

Cheryl Grenz
City Auditor

X

Dale Krause
Mayor

Minutes are subject to revision and approval and the next regular council meeting.