

City of Lidgerwood
Council Meeting Minutes

June 07, 2021

Council Room

7:00pm

Meeting was called to order by Mayor Dale Krause with Council members DuWayne Irwin, Richard Novotny, Dylan Anderson, Bill Illies and Deb Anderson were present. Council member Sstephaine Hejtmanek was absent. Also present were Janice Breker, Jerry Spellerberg, Aaron Frolek, Bo Frolek, Jesse Frolek, Leigha Johanson, Gaven Steffens and Cheryl Grenz.

Motion by DuWayne Irwin to approve the April 5th [May 3rd] second by Bill Illies, motion carried with all in favor and none nay.

Motion by Bill Illies to accept the minutes from May 26th with the correction of the month on the minutes to May not March second by Richard Novotny, motion carried with all in favor and none nay.

Janice Breker, the secretary of Grant Township, approached the Council about the rezoning of the property for the Dollar General. The City will not rezone it at this time as it is not annexed into the City, it will have to start in Grant Township. The City will contact its Attorney to get more information to make sure everything is done legally.

Aaron Frolek, Bo Frolek and Jesse Frolek, representing Frolek Brother's, approach the Council about the hours of operation for the bars. They would like to have the option to stay open until 2 if there is an event going on or if they bar is has enough customers to make it feasible to be open until 2.

The Lidgerwood Progressive Development would like to ask the Council if they would be able to purchase a liquor license for the month of June, so when the store opens they can start the "off sale" of liquor.

Motion by DuWayne Irwin to let them [Lidgerwood Progressive Development dba County Line Foods] buy another [liquor license for] 30 days and start it the 1st of June second by Dylan Anderson, motion carried with all in favor and none nay.

Judge's report was given by Leigha Johanson.

Ordinance 278 was present to the Council.

ORDINANCE NO. 278

**AN ORDINANCE ADOPTING TO PROVISIONS
RELATED TO THE APPOINTMENT OF A MUNICIPAL JUDGE**

BE IT ORDAINED, by the City Council of the City of Lidgerwood, North Dakota, by and through its Home Rule Charter, that Lidgerwood Ordinance ___ be repealed and replaced as follows, in order to amend the office of municipal judge to an appointive office:

SECTION 1 - Municipal Judge – Appointed

1. The City of Lidgerwood, acting pursuant to its Home Rule Powers, hereby provides that the Municipal Judge for the City of Lidgerwood shall be appointed by the Mayor of the City and such appointment shall be confirmed by the City Council. Such appointment shall be for a term of two (2) years or such other term as is otherwise specified by the City Council.
2. An alternate Municipal Judge may be appointed to serve when the Municipal Judge is unable to serve due to temporary absence, interest, disqualification, or disability. The alternate Municipal Judge must be compensated at a rate set by the City Council and shall possess the qualifications of a Municipal Judge.

SECTION 2 - Report to the City Council

1. It shall be the duty of the municipal judge to make a full report under oath, of all proceedings in the actions or matters before him in which the City is a party, or interested therein, to the governing body of the City at the close of each month. Until such report has been filed with the city auditor, no salary shall be paid the judge for such work.
2. Contents of Report. Such report shall contain the names of the parties to such action or proceeding, a statement of all orders made, whether the defendants be committed, fined or released from custody, the judgment, the extent thereof, the costs, the amount of costs and fine paid, if any, with the disposition thereof, together with an itemized account of any fees of all officers and witnesses and the names of each, the name or each person making the complaint, and the nature and date thereof.
3. Receipt to Accompany Report. This report will be accompanied by the duplicate receipt or receipts of the city auditor for the total amount of the fees and money so collected on behalf of the City.

SECTION 3 - Court Hours

1. The municipal judge shall be in attendance at municipal court for the transaction of business that may come before them and shall devote the time necessary to handle and dispose of the business coming before him.

SECTION 4 - Duties of Municipal Judge

1. The municipal judge has jurisdiction to hear, try, and determine offenses against the ordinances of the City.
2. Additional duties of the municipal judge shall be as provided by the provisions of Chapter 40-18 of the North Dakota Century Code and all amendments.

Savings Clause

Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

Effective Date

This ordinance shall be in full force and effect after passage and approval as provided by law.

Motion by DuWayne Irwin to accept the first reading of Ordinance 278 second by Bill Illies, motion carried with all in favor and none nay.

Motion by Dylan Anderson to approve the Auditor's report second by Richard Novotny, motion carried with all in favor and none nay.

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

Utility Report was given by Cheryl.

It was brought to the Council's attention that Jessica and Jeremy Milbrandt's personal pool was filled using the Fire Department's Tank truck by someone from the fire department. The City was informed that it will not happen again as the Fire Department understands that the water needs to be paid for by the resident.

Motion by Richard Novotny to charge them for 6000 gallons [of water] at the City rate [of \$6.50 per 1000 gallons] second by Bill Illies, motion carried with all in favor and none nay. Superintendents Report was given by Gaven Steffens.

Airport Authority report was given Dylan Anderson.

Housing Authority report was given by DuWayne Irwin.

Library Board report was given Bill Illies.

Mayor Dale Krause would like to appoint Karen Judd to the Library Board.

Motion by Deb Anderson to approve the appointment of Karen Judd to the Library Board second by DuWayne Irwin, motion carried with all in favor and none nay.

Police report was given by Deputy Erickson.

The 2022 budget was discussed with the Council.

Motion by Richard Novotny to a 3% increase in mills for the City, 4 mills for the Airport and 4.25 mills for the library second by DuWayne Irwin, motion carried with all in favor and none nay.

Gaming Site Authorizations were presented to the Council for the American Legion and Lidgerwood Columbus Hall.

Motion by DuWayne to approve the gaming site authorization for the American Legion second by Dylan Anderson, motion carried with all in favor and none nay.

Motion by Dylan Anderson to approve the gaming site authorization for the Lidgerwood Columbus Hall second by DuWayne Irwin, motion carried with all in favor and none nay.

Liquor License applications for Dee's Bar & Grill, Frolek Brother's dba Lidgerwood Corner Bar and Lidgerwood Bar & Lounge were presented to the Council for approval.

Motion by Deb Anderson to approve the liquor licenses for Dee's Bar & Grill, Frolek Brother's dba Lidgerwood Corner Bar and Lidgerwood Bar and Lounge second by DuWayne Irwin, motion carried with all in favor and none nay.

Motion by Dylan Anderson to approve the first reading to amend AN ORDINANCE AMEND ORDINANCE NO. 160 AN ORDINANCE REGULATING THE HOURS AND TIMES OF SALE OF ALCOHOLIC BEVERAGES second by , motion carried with all in favor and none nay.

Motion by Bill Illies to adjourn meeting at 9:45 pm seconded by Richard Novotny 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.