

# **Cavalier City Council**

## **November 1, 2021**

### **7:00 PM**

**Roll Call:** Mayor Hinkle, council members Beard, Vaughn, Stevenson, Berry, Carpenter, Cluchie (7:12pm)

**Absent:** None

**Guests:** Auditor Truver, OM Walton, COP Osvold, Attorney Fleming, Donovan Voeller, Robin Hartz, Rec Director Krieg, Jeff Stevenson, Meredith Quinn, Jeremy Ratliff, Katelyn Sott, Assistant Auditor Werner, Jarda Solc

Mayor Hinkle requested a roll call; with 6 members present a quorum was declared.

#### **Amendments to the Agenda**

Market Society development grant application.

#### **Approve Minutes**

Motion made to approve the meeting minutes from October 4, 2021 regular meeting, October 4, 2021 special meeting and October 14, 2021 special meeting. M/S/P- Vaughn, Carpenter; 5:0 mc.

#### **Approve Bills & Financials**

Motion made to approve the payment of all City and CMU bills and financials as submitted for October 2021. M/S/P – Berry, Stevenson; 5:0, mc.

#### **Applications for Gaming/Raffle Permits**

Motion made to approve gaming applications for PCMH Foundation and Cavalier Boosters Club. M/S/P – Beard, Vaughn; 5:0, mc.

#### **Water Main & Water Tower**

Donovan updated the council on Caldwell's progress. Donovan updated the council on the water main. The final paperwork is not in order yet, but all the work is complete. Discussion on extra cost incurred due to Witzel.

#### **Ground Storage Reservoir**

Meredith updated the council on the progress of the reservoir and presented a pay request. Motion made to approve pay request #4 for Maertens-Brenny in the amount of \$125,226.00 with funds coming from special projects. RCV M/S/P – Carpenter, Beard; 6:0, mc. Motion made to approve change order #3 for Maertens-Brenny in the amount of \$4,212.00 with funds coming from special projects. RCV M/S/P – Vaughn, Carpenter; 6:0, mc. Meredith presented an invoice from AE2S for the ground storage reservoir. Motion made to approve payment of AE2S invoice in the amount of \$10,221.80 with funds coming from special projects. RCV M/S/P – Berry, Stevenson; 6:0, mc.

## **North of the Park Sewer**

Attorney Fleming presented the council with resolution approving engineer's report and directing preparation of detailed plans and specifications, resolution approving engineer's plans and specifications, and resolution directing advertisement for bids. Motion made to approve resolution approving engineer's report and directing preparation of detailed plans and specifications. RCV M/S/P – Vaughn, Cluchie; 6:0, mc. Motion made to approve resolution approving engineer's plans and specifications. RCV M/S/P – Berry, Beard; 6:0, mc. Motion made to approve resolution directing advertisement for bids. RCV M/S/P – Vaughn, Carpenter; 6:0, mc. Bid opening will be November 10, 2021 at 1:30 PM. Meredith presented an invoice from AE2S for the 2<sup>nd</sup> Ave sewer extension. Motion made to approve payment of AE2S invoice in the amount of \$1,358.00 with funds coming from special projects. RCV M/S/P – Carpenter, Berry; 6:0, mc.

## **CITY OF CAVALIER, NORTH DAKOTA**

### **RESOLUTION APPROVING ENGINEER'S REPORT AND DIRECTING PREPARATION OF DETAILED PLANS AND SPECIFICATIONS FOR SEWER IMPROVEMENT DISTRICT 2021-01**

BE IT RESOLVED by the governing body of the City of Cavalier, North Dakota (the "City"), as follows:

Pursuant to N.D. Cent. Code §40-22-08 (2017) the city of Cavalier has created a special assessment district known as "**SEWER IMPROVEMENT DISTRICT 2021-01**", which is for the purpose of installation and construction of a lift station, force main, and residential and other connections, and the acquisition of any necessary rights-of-way in connection therewith, as well as all other items of work and materials which are necessary or reasonably incidental to the completion of the improvement; the improvement to be made in accordance with the plans and specifications;

Pursuant to N.D. Cent. Code §40-22-11 (2017) the city of Cavalier is required to direct the preparation of detailed plans and specifications.

**BE IT RESOLVED**, by the city council of Cavalier, North Dakota as follows:

1. That the city of Cavalier has hired the firm of Advanced Engineering and Environmental Services, Inc. to prepare a report as to the general nature, purpose and feasibility of the proposed improvement and cost estimate.
2. This governing body having received the engineer's report as to the general nature, purpose and feasibility of the proposed improvement in and for improvement district number 2021-01, this report is hereby approved and the same shall be forthwith filed in the office of the City Auditor and shall remain on file in the City Auditor's Office subject to inspection by anyone interested therein.
3. The engineer planning the improvement is hereby authorized and directed to prepare detailed plans and specifications for construction of the improvement.

Motion was made by Vaughn and seconded by Cluchie

Those voting for the resolution: Cluchie, Beard, Vaughn, Stevenson, Berry, Carpenter

Those voting against the resolution:  
none

Not present: none

Dated and adopted this 1<sup>st</sup> day of November, 2021

Approved by:

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Lacey K. Hinkle, Mayor

Attested to:

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Kelli Truver, Auditor

**CITY OF CAVALIER, NORTH DAKOTA  
RESOLUTION APPROVING FINAL PLANS AND SPECIFICATIONS  
FOR SEWER IMPROVEMENT DISTRICT 2021-01**

**WHEREAS**, the city of Cavalier, North Dakota has authorized and directed its engineer Advanced Engineering and Environmental Services, Inc. to prepare detailed plans and specifications for construction of a gravity and force main sewer with a lift station for the city of Cavalier;

**WHEREAS**, Advanced Engineering and Environmental Services, Inc. has prepared detailed plans and specifications for construction of improvement and has reviewed the same with the city of Cavalier;

**BE IT RESOLVED BY THE CITY COUNCIL OF CAVALIER, NORTH DAKOTA AS FOLLOWS:**

That the detailed plans and specifications for construction of by Advanced Engineering and Environmental Services, Inc. and as presented to the Cavalier City Council at a regular meeting on the day of November, 2021, are hereby approved.

Motion was made by Vaughn and seconded by Carpenter

Those voting for the resolution: Cluchie, Beard, Vaughn, Stevenson, Berry, Carpenter

Those voting against the resolution: none

Not present: none

Dated and adopted this 1<sup>st</sup> day of November, 2021

Approved by:

\_\_\_\_\_  
Lacey K. Hinkle, Mayor

Attested to:

\_\_\_\_\_  
Kelli Truver, Auditor

**CITY OF CAVALIER, NORTH DAKOTA  
RESOLUTION DIRECTING ADVERTISEMENT FOR BIDS  
FOR SEWER IMPROVEMENT DISTRICT 2021-01**

**WHEREAS**, the governing body of the city of Cavalier, North Dakota (the Acity@) has taken all preliminary steps necessary for the creation of the Sewer Improvement District 2021-01 and has had plans and specifications and estimates prepared, and the city having decided that the improvements in said district are necessary.

**NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF CITY OF CAVALIER, NORTH DAKOTA AS FOLLOWS:**

1. The City Auditor is directed to cause publications of Advertisement for Bids and materials needed in the Sewer Improvement District 2021-01 in the Cavalier Chronicle, the official newspaper for the city, calling for bids to be opened on the 10<sup>th</sup> day of November, 2021 at 1:30 p.m. at the City Administration Building in the city of Cavalier, North Dakota.

2. The City Auditor is directed to cause the advertisement for bids to be published in the Cavalier Chronicle, on 10/20/2021, 10/27/2021, and 11/3/2021. The date of the first publication must be at least 14 days before the date of bid opening.

3. The City Auditor is further directed to cause the Advertisement for Bids to be published in the Construction Bulletin, the Grand Forks Herald, the Fargo Forum and posted electronically.

Motion was made by Berry and seconded by Beard

Those voting for the resolution: Cluchie, Beard, Vaughn, Stevenson, Berry, Carpenter

Those voting against the resolution: none

Not present: none

Dated and adopted this 1<sup>st</sup> day of November, 2021

Approved by:

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Lacey K. Hinkle, Mayor

Attested to:

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Kelli Truver, Auditor

### **2022 Water and Sewer Improvements**

Meredith updated the council on the CDBG grant application. The City of Cavalier was not initially accepted, but held potential of still receiving the grant. Meredith said we would know by November 4, 2021 if we would receive the grant award.

### **Development**

Discussion was held regarding the updates to the development grants. Motion made to approve changes to the business growth grant as presented. M/S/P – Berry, Beard; 6:0, mc. Motion made to approve changes to the energy efficiency grant as presented. M/S/P – Vaughn, Cluchie; 6:0, mc. Motion made to approve changes to the home-based business transition grant as presented. M/S – Beard, Berry. Amendment to motion to remove office supplies and marketing materials. M/S/P – Beard, Berry; 6:0, mc. Motion made to approve the changes to the storefront improvement grant as presented. M/S/P – Berry, Stevenson; 6:0, mc. Jeremy Ratliff presented the council with a proposal for a podcast he would like to host and indicated initial setup costs would be \$3000. The council asked him to compile a list of expenses. Auditor Truver presented the council with a storefront improvement grant application for Market Society. Motion made to approve the storefront improvement grant application for Market Society in the amount of \$200. M/S/P – Berry, Stevenson; 4:3, mc.

### **Rec Report**

Rec Director Krieg updated the council on the rec department.

### **Library Report**

Councilman Stevenson updated the council on the library. Mandy Heuchert is replacing Jamie Seng on the board.

### **PD Report**

COP Osvoid updated the council on the PD. Officer Gjovik and Officer Taylor will be attending the intoxilyzer training.

### **Attorney Report**

Attorney Fleming presented the council with a conflict-of-interest concern that came from a member of the community. It was determined that there was no conflict of interest. Attorney Fleming updated the council on the progress of the city ordinance update. Discussion on storage containers and their use as an accessory to the operation of the business. Mayor Hinkle asked if we could get the zoning committee together to re zone the city. Attorney Fleming updated the council on the disciplinary letter regarding Duane Widme. Attorney Fleming updated the council on the damages to the auditorium and how the perpetrators were reprimanded. They are to pay the damages, complete 20 hours of community service, and write a letter of apology. Attorney Fleming discussed a grant for UV lights that could be installed in the auditorium. Discussion was held on whether we should allow the one juvenile back in the auditorium. Motion was made to allow the juvenile in the auditorium only when the coach is present, and once his tasks have been completed, he can approach the council for more access. M/S/P – Vaughn, Berry; 5:0, mc.

### **Administrative Reports**

Auditor Truver presented the council with a list of the preliminary interfund transfers. Auditor Truver asked if we could close the city office the day after Thanksgiving as we do every year and the council agreed. Auditor Truver updated the council on the employee gifts. OM Walton asked the council for direction on light plant plans. The council would like OM Walton to draw up a plan and present it to the council. OM Walton updated the council on the alleys. OM Walton stated they will work more on the alleys next spring/summer.

### **Mayor & Council Comments**

Councilman Carpenter had a call regarding a constituent who was not put on the agenda. Councilman Carpenter called Jeff Stevenson to speak. Stevenson claims he was not speaking about anyone in particular when he stated his conflict-of-interest concern. Stevenson claims that Robert's Rules of Order says there was a conflict of interest, but Attorney Fleming assured the council there was no conflict of interest.

### **Adjournment**

Motion to adjourn 9:16 PM Vaughn.

**Approved By:**

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**Lacey Hinkle, Mayor**

**Attested To:**

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**Kelli Truver, City Auditor**