

Cavalier City Council

February 6, 2023

7:00 PM

Roll Call: Mayor Hinkle, council members Cluchie, Beard, Vaughn, Carter, Berry, Carpenter

Guests: Auditor Krieg, OM Walton, COP Osvold, Attorney Fleming, Recreation Director Aimee Homstad, Chris Fitzsimonds, Ryan Fitzsimonds, Ron Storie

Approve Minutes

Motion made to approve the regular meeting minutes from January 3rd, 2023 with adding Councilman Carter to roll call, special meeting from January 11th, 2023. M/S/P- Carpenter, Vaughn; 6:0 mc.

Approve Bills & Financials

Motion made to approve the payment of all city and CMU bills and financials as submitted for January 2023. M/S/P- Cluchie, Beard; 6:0 mc.

Gaming/Raffle/Special Event Permits

Motion made to approve gaming permit for Arts and Crafts Society, Pembina County 4-H Junior leaders, Special events permit for Retail Beer and Bacon Bash. M/S/P- Berry, Beard; 6:0 mc

Motion made to approve special events permit for Craig Vaughn men's hockey tournament. M/S/P- Cluchie, Berry; 5:0 mc. (Vaughn abstained)

Ground Storage Reservoir

Invoice AE2S 83885 GSR and pump station. Motion made to approve to pay invoice 83885 from AE2S in the amount of \$22,117.95 coming from special projects. M/S/P- Beard, Carter; roll call 6:0 mc.

2nd Ave Sewer Extension

Krieg informed council that Collette Nordstrom, Chris Burgess, and Rachel Ramsay had said that they would serve on the special assessment committee. Mayor Hinkle appointed Collette Nordstrom, Chris Burgess, and Rachel Ramsay to the special assessment committee. Motion made to approve resolution appointing Chris Burgess 1-year term, Colette Nordstrom 2-year term, and Rachel Ramsay 3-year term to the Special Assessment Committee. M/S/P- Vaughn, Carter; roll call vote 6:0 mc.

CITY OF CAVALIER, NORTH DAKOTA

RESOLUTION CONFIRMING THE APPOINTMENT OF THE SPECIAL ASSESSMENT COMMISSION

Member Vaughn, introduced the following resolution and moved its adoption.

WHEREAS, the Mayor of the city of Cavalier has appointed three (3) persons to serve on the Special Assessment Commission for the city of Cavalier;

WHEREAS, it is necessary for the governing body to confirm those appointments;

BE IT RESOLVED by the City Council of Cavalier, North Dakota, that the governing body does hereby confirm the appointments to the Special Assessment Commission as follows:

<u>Name</u>	<u>Term Beginning</u>	<u>Term Ending</u>
Chris Burgess	February 6, 2023	February 6, 2024
Collette Nordstrom	February 6, 2023	February 6, 2025
Rachel Ramsay	February 6, 2023	February 6, 2026

The resolution was seconded by Member Carter;

Those voting for the resolutions: Cluchie, Beard, Vaughn, Carter, Berry, Carpenter;

Those voting against the resolutions: None

Not present: None

Dated as of the 6th day of February, 2023.

APPROVED:

Lacey Hinkle, Mayor

ATTESTED TO:

Casey Krieg, City Auditor

Pool

Auditor Krieg updated council on pool project. Project should be on track to be sent out for bids in March.

Development

Property tax exemption application for improvements for parcel 27-1530000 Tamarisk Properties LLC was presented to council. Motion made to approve Property tax exemption application for improvements to parcel 27-1530000 Tamarisk Properties LLC for five years. M/S/P- Berry,

Beard; 6:0 mc. Mayor Hinkle presented housing incentives previously discussed. Motion made to approve housing incentives with the addition to #1 and #2 of minimum taxable value of home must be at least \$50,000, #8 will be 2 shade trees to be planted in the yard not within 10 feet of berm, #9 be removed, #11 add and home is occupied. M/S/P-Berry, Beard; 5:1 mc (Carpenter) Auditor Krieg presented Scholarships for City Employees, and Scholarships for Children of City employees. Motion made to approve scholarship programs for City Employees and Children of City Employees as presented, if legally able to be determined by City Attorney Fleming. M/S/P-Berry, Beard; 5:1 mc (Carpenter)

Rec Report

There will be 2 more roller skating parties; March 11 and April 14. 12 new skate helpers have been ordered, 6 donated so far. Father Daughter & Mother Son Dance raised \$1877.98 for misc rec donations and had a total of 133 people attend. Spring Tumbling – Registration opened January 30 and will be Tuesdays for 9 weeks. February 21 is the first night. 4th- 6th Grade Volleyball – Registration opened 2/6 and will be Monday & Thursdays for 5 weeks. March 20 is when they begin. K-3rd Grade Basketball – March 5-26 every Sunday is our tentative dates. We are still trying to line up instructors. Upcoming: April- Carnival with Easter Bunny & Egg My Yard.

Library Report

Carter updated the council, library had two game nights and adult poetry night. All were well attended. Circulation is up over 400 patrons from previous January. Auditor Krieg presented request from Diamond Jubilee to be reimbursed for cost to re-establish its 501c3 status. Motion made to reimburse Becky Ratchenski the \$275.00 fee to re-establish the 501c3 for the Diamond Jubilee with funds coming from the library budget. M/S/P-Berry, Vaughn; 6:0 mc.

PD Report

COP Osvold updated council that the new radios have been installed.

Attorney Report

It was determined that council would not need to go into executive session as Ryan and Chris Fitzsimonds were in attendance. Discussion was held on Fitzsimonds driveway and damage that was caused by Quam construction under the warranty period of The Pines Sewer Project. Quam settlement of \$150,000 will be paid in three payments Feb 15th, March 15th, April 15th. Cost to date occurred by the city \$60,864.00 leaving \$89,136.00 to fix driveway and any other repairs. Retainage of \$85,454.97 was not paid to Quam construction but was assessed to the citizens of the Pines as was project cost without standing invoices at time of assessment process. Discussion was held to apply this retainage to the 26 parcels it was assessed to. Auditor Krieg presented that this would be \$3286.00 per parcel that would be applied to out standing specials owed on each of the parcels. Discussion had to not disburse any funds until settlement payments received. Quote to repair the full driveway of Fitzsimonds is in the amount of \$56,140.00 with Fitzsimonds and city crew to remove and haul away the damaged driveway. Motion made to repair Fitzsimonds driveway, with Fitzsimonds and city crew removing and hauling away damaged driveway with cost being \$56,140.00 to replace. Hold the remaining funds from settlement until December 31, 2024. Funds not to be paid out until settlement payments are paid to the City of Cavalier from Quam Construction in full. M/S/P- Berry, Vaughn; roll call vote 6:0 mc.

Attorney Fleming presented 1st reading of liquor license ordinance. Motion made to approve first reading of liquor license ordinance as presented. M/S/P- Vaughn, Carter; roll call vote 6:0 mc. Attorney Fleming updated council that Marian McKechnie was not interested in selling or donating land for baseball fields. She would possibly be interested in future discussion with City on other projects.

Administrative Reports

Auditor Krieg invited the council to Bill Nordstroms retirement party on February 17th from 2 to 4pm at the City Administrative Office.

OM Walton presented the council with Design Services Proposal from Widseth Smith Nolting & Associates for light plant project. Motion made to accept the Design Service Proposal from Widseth Smith Nolting & Associates for light plant project including the geotechnical report in the amount of \$92,000.00. M/S/P- Carter, Carpenter; roll call vote 6:0 mc.

Auditor Krieg updated council that FEMA paperwork is almost complete at the state level.

Auditor Krieg advised the council the financial institutions needed updated minutes to insure that all signers are on accounts. Motion made to have Casey Krieg Auditor, Danielle Blair Assistant Auditor, Lacey Hinkle Mayor, Mike Carpenter Councilman authorized signers on all City of Cavalier, Cavalier Municipal Utilities, Cavalier Cemetery Association, and Utility Pop Accounts including safety deposit boxes. M/S/P- Carter, Vaughn 6:0 mc.

Discussion was held on past due utility accounts. Accounts with past due amounts will have timers put on utilities, accounts not caught up by end of March will be shut off once chance of homes not freezing up has passed and accounts will not be turned back on until paid completely in full.

Mayor and Council Comments

Mayor Hinkle updated white board in council chambers and discussed future goals for the City and CMU.

Adjournment

Motion to adjourn 9:00pm Cluchie, Vaughn

Approved By:

Lacey Hinkle, Mayor

Attested To:

Casey Krieg, City Auditor