

**October 5<sup>th</sup>, 2015 Mayville City Council**

The Mayville City Council met in regular session on October 5<sup>th</sup>, 2015 at 6:00 pm in the council chambers with Mayor Don Moen presiding and the following Aldermen responding to call of the roll: Carlson, Jorgensen, Petersen, O'Brien, Meshefski-LaBine, and Bohnsack. Julie Brenna, Lynn Slaathaug Moen, Gail Olstad, Cassie Olson, Shannon and Todd Lang and Sheila Anderson attended also.

Carlson made a motion to approve the Council Minutes from 09-21-15, Petersen seconded it, motion carried.

O'Brien made a motion to approve the Public Hearing Minutes from 09-21-15, Bohnsack seconded it, motion carried.

Meshefski-LaBine made a motion to approve the Special Council Minutes from 09-29-15, Jorgensen seconded it, motion carried.

The following bills were presented for Council discussion:

10838	Aflac	all	insurance	\$	685.57
10839	Ameripride	all	rugs	\$	307.34
10840	Brittany Bachmeier	library	salary	\$	148.63
10841	City of Fargo	water treatment	water samples	\$	38.00
10842	Dacotah Paper Co	all	supplies	\$	420.64
10843	Daniel Overmoe	water treatment	office supplies	\$	35.28
10844	Discovery Benefits	Non Dept	prof fee for Aug & Sept	\$	100.00
10845	Farmers Union Oil	all	fuel	\$	710.55
10846	Ferguson Waterworks	water distribution	maint/operation	\$	461.73
10847	First & Farmers Bank	water distribution	collection fee	\$	3.44
10848	Flaten & Johnson	streets	1991 Kodiak	\$	115.72
10849	Goose River Bank	water distribution	collection fee	\$	56.05
10850	Grainger	water treatment	maint/operation	\$	102.00
51	Holiday Inn	governing board	travel - Merv	\$	229.84
10852	MayPort Hardware Hank	all	maint/operation	\$	265.58
10853	Mayville State University	sales tax	payment for August	\$	14,083.69
10854	Merv Carlson	governing board	travel - Merv	\$	107.70
10855	Moore Engineering		TRW tru up & mem cleaning	\$	2,145.00
10856	MPEDC	sales tax	payment for August	\$	4,788.45
10857	Napa Auto Parts	streets	maint/operation	\$	141.11
10858	ND League of Cities	governing board	travel - Merv	\$	345.00
10859	ND Rural Water Systems Association	water distribution	maint/operation	\$	100.00
10860	NDPERS	all	health insurance	\$	3,523.68
10861	North Central Laboratories	water treatment	chemicals	\$	108.60
credit	Polar Communications			\$	(147.20)
10837	Praxair	streets	maint/operation	\$	20.11
10862	Productivity Plus Account	streets	maint/operation	\$	38.50
10863	Reliance Standard	all	life insurance	\$	189.00
10864	Reynolds United	streets	misc	\$	443.61
10865	Traill County Tribune	all	printing	\$	569.72
10866	Traill Rural Water District	water treatment	purchase of raw	\$	5,429.24
10867	TRW Debt and Service	water imp #26	monthly payment	\$	2,330.00
10868	USA Blue Book	water treatment	maint/operation	\$	1,096.07
10869	Waste Management	sanitation	garbage & recycling	\$	12,937.64
10870	Xcel Energy	all	electricity	\$	10,304.31
<b>REPORT TOTALS</b>				<b>\$</b>	<b>62,234.60</b>

Meshefski-LaBine moved to pay the bills, a second by O'Brien supported the motion, motion carried.

Calendars for October and November were reviewed and discussed.

ND League of Cities annual meeting was held September 24-26<sup>th</sup> in Fargo, Merv Carlson gave the Council an update. Home Rule Charter and Renaissance Zone were two of the topics heavily covered.

Fall Cleanup days will be held October 13<sup>th</sup> and 14<sup>th</sup>.

Shopko has the contract the City Attorney Lynn Slaathaug-Moen provided and we are awaiting their input, signing.

The Auditor's Office approved a Post Prom gaming permit for Jennifer Kohls.

The Sheriff's Report updated us that a Deputy has been hired to replace Deputy Hart.

Cassie Olson from Valley Land and potential purchasers for 2 lots in Eastvold 4<sup>th</sup> attended the meeting to discuss options. Todd and Shannon Lang wish to purchase 2 lots in Eastvold 4<sup>th</sup> to bring 2 homes in, 3 bedrooms, on a crawl space the homes are modular but come in one piece. They did not have floor plans with but could provide them. They would need a variance from the Riverwood Property Owners to allow the modular homes as they are specifically not allowed per the covenants. The request for a variance will be forwarded to the Riverwood Subcommittee.

O'Brien moved to approve the **2016 Municipal Budget** in the amount of **\$4,063,992.84** which includes depreciation and to pass the second reading of the following Ordinance:

**An Ordinance Appropriating The Sums Of Money Necessary To Defray The Expenses And Liabilities Of The City Of Mayville For The Period Beginning January 1, 2016 And Ending December 31, 2016.**

A second by Jorgensen supported the motion and upon a roll call vote the following voted: Yea: Petersen, O'Brien, Bohnsack, Jorgensen, Carlson, Meshefski-LaBine; Nay: 0; Absent: None.

Carlson made a motion to add the disclaimer to be added to the city building permit drafted by city attorney. Petersen seconded the motion, motion carried.

O'Brien made a motion to accept the first reading of:

**AN ORDINANCE TO AMEND CHAPTER XVI, ARTICLE 11 OF THE REVISED ORDINANCES OF 1979 OF THE CITY OF MAYVILLE RELATING TO REGULATIONS FOR MOTORCYCLES.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAYVILLE, NORTH DAKOTA:**

SECTION 1. Ordinance No. 16-1108 is hereby added to the Revised Ordinances of 1979 of the City of Mayville to provide as follows:

**16-1108A DEFINITIONS.**

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- (1) ALL TERRAIN VEHICLE (ATV). ATVs are motorized flotation-tired vehicles with at least three but no more than six low pressure tires that have an engine displacement of less than 1,000 cubic centimeters and total dry weight of up to 1,800 pounds total dry weight. Dry weight is normally the weight of the vehicle without fluids.
- (2) MOTORIZED GOLF CART. A vehicle, usually three or four wheeled, which is self-propelled and designed to normally provide transportation on a golf course.

**16-1108B RULES OF OPERATION.**

ATVs or Motorized golf carts may be operated on city streets in the City of Mayville only under the following conditions and subject to the following restrictions:

- (1) ATVs or golf carts may be operated only by persons with valid driver's licenses.
- (2) ATV or golf carts may not be operated on walking/bike paths or sidewalks.
- (3) ATVs or golf carts may be operated on city streets only between sunrise and sunset.
- (4) No person shall operate an ATV or motorized golf cart in inclement weather or when visibility is impaired.
- (5) ATVs or golf carts may only carry the number of passengers for which the vehicle is designed.
- (6) ATV or golf cart operators must obey and are subject to all state and local traffic laws that motor vehicles are subject to.
- (7) Golf carts may not be operated on federal, state or county highways, except for the perpendicular crossing of these highways.

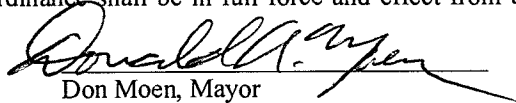
**16-1108C LIMITATION OF LIABILITY.**

- (1) Nothing in this chapter shall be construed as an assumption of liability by the city for any injuries to persons or property which may result from the operation of a motorized golf cart or ATV.

**16-1108D PENALTY.**

Except as otherwise provided in this article, anyone violating the provisions of this article shall be punished by a fine of up to five hundred dollars (\$500.00) per incident.

SECTION 2. Effective Date. This ordinance shall be in full force and effect from and after the date of its final passage and publication.

  
 Don Moen, Mayor  
 Mayville, North Dakota

ATTEST:  
  
 Gail Olstad, City Auditor

First Reading: 9/21/15  
 Roll Call Vote: Yes: Meshefski-LaBine, O'Brien, Bohnsack, Carlson, Jorgenson, Petersen  
 No: None  
 Absent: None

Second Reading and Final Passage:  
 Yes \_\_\_\_\_  
 No \_\_\_\_\_  
 Absent \_\_\_\_\_

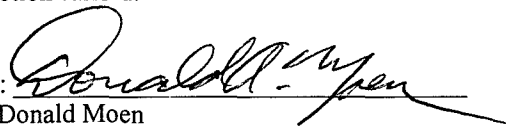
Publication Date:  
 Effective Date  
 Of Ordinance: \_\_\_\_\_

Meshefski-LaBine made a motion to approve the sale of Lots 2 and 3, Block 1, Riverwood Addition to Domier Construction contingent upon the approval of the Riverwood Subcommittee and Planning and Zoning approval. O'Brien seconded it and upon a roll call vote the following voted: Yea: Petersen, Meshefski-LaBine, O'Brien, Bohnsack, Carlson, Jorgensen; Nay: 0; Absent: none.

City Attorney Lynn Slaathaug-Moen reviewed where we are with the deeding of the previous landfill property. It was sold to Coleman's but not recorded. Bill Bohnsack will discuss with his heirs to see what their preference is.

Jorgensen made a motion to adjourn, Carlson seconded it, motion carried.

Attest:   
Gail Olstad Auditor

Mayor:   
Donald Moen