

November 7th, 2016 Mayville City Council

The Mayville City Council met in regular session on November 7th, 2016 at 6:00 pm in the council chambers with Mayor Moen presiding and the following Aldermen responding to call of the roll: Bohnsack, Lipsiea, O'Brien, Petersen, and Carlson; Absent: Meshefski-LaBine; Don Moen, Gail Olstad, Julie Brenna, Lynn Slaathaug Moen, Steve Hunt, Steve Mattern, John Mewes and Shelia Anderson were also in attendance.

O'Brien made a motion to approve the Council Minutes from 10-03-16, Lipsiea seconded it, motion carried.

The following 2016 bills were presented for Council discussion:

11715	3D Specialities	streets	repair/maint	\$55.82
11717	Aasen Drug	library	office supplies & misc	\$80.82
11718	Access	water	receipts books	\$265.06
11719	Aflac	all	insurance	\$634.66
11720	American Funds	all	retirement	\$3,061.70
11721	Ameripride	all	misc	\$651.86
11722	Baker-Taylor	library	books	\$2,698.99
11723	Bank of North Dakota	Water 19 & 20	loan payment	\$3,065.89
11724	Brady Martz	non dept	audit fee	\$1,897.50
11725	Brite Way Window Cleaning	city hall	misc	\$84.00
11726	Brittany Bachmeier	library	salary	\$116.00
11727	Brudvik Law	all	legal/legal retainer	\$1,133.00
11728	Butler Machinery	all	contracts	\$3,967.40
11729	City of Fargo	water treatment	testing	\$38.00
11730	Countryside Creations	non dept	misc - flowers for Cenex	\$63.00
11731	CraneJohnson Lumber Co	streets	maint/operation	\$25.00
11732	Dacotah Paper	all	misc	\$117.80
11733	Daniel Overmoe	non dept	maint/operation	\$19.15
11733	Daniel Overmoe	ww collections & treatment	travel	\$317.68
11734	Derek Petersen	cemetery	contract fee	\$2,400.00
11735	Edward R Hamilton Bookseller Co	library	books	\$55.25
11736	EF Library Services	library	books	\$55.06
11737	Emergency Automotive Mobile Unit	streets	2016 Chevy Pickup	\$1,325.02
11738	Ferguson Waterworks	water distribution	Neptune software maint	\$2,000.00
11738	Ferguson Waterworks	water distribution	meters	\$284.44
11739	First & Farmers	water	water collections	\$2.26
11740	Flaten & Johnson Truck Equipment	ww collections	maint/operation	\$73.92
11741	Gary Winger	auditor & cemetery	misc	\$325.00
11742	Goose River Bank	water	water collections	\$70.46
11743	Grand Forks Utility Billing	ww treatment	testing	\$281.54
11744	Great America Copier Lease	all	lease on copier	\$448.06
11745	H E Everson	streets	maint/operation	\$171.23
11746	Haroldson's Office Supply	all	office supplies	\$116.10
11747	Holiday Inn Riverside	ww treat & coll	travel	\$360.00
11748	Jeff's Electric	streets	repair on signal light	\$201.95
11749	Key Contracting	streets	manholes/repairs	\$17,100.00
11752	MayPort Auto & Truck Parts	streets	maint/operation	\$25.98
11750	MayPort Farmers Coop	all	fuel/vehicles	\$1,208.47
11751	MayPort Hardware Hank	all	maint/operation	\$91.77
11753	Mayville Airport Authority	airport	Sept's payment in October	\$148.93
11754	Mayville State University	sales tax	Sept's payment in October	\$15,469.00
11755	Midcontinent Communications	all	phone	\$2,294.93
11756	Millers Fresh Foods	Library & City hall	maint/operation	\$114.72
11757	Moen's Excavating & Concrete	armory	maint/operation	\$7,953.13
11758	Moore Engineering	non dept	elevations	\$1,000.00
11759	MPEDC	sales tax	Sept's payment in October	\$3,253.74

ACH	ND Public Finance Authority	Refunding 2012	bond payment	\$18,432.50
11760	NDPERS	all	insurance	\$3,523.68
11761	Network Center Inc	all	computer	\$511.20
11762	One Call Concepts	water treatment	maint/operation	\$29.10
11763	Polar Communications	auditor	phone	\$60.77
11716	Praxair	streets	cylinder rental	\$21.35
11764	Productivity Plus	streets	maint/operation	\$744.26
11765	Reliance Standard	all	life insurance	\$234.00
11766	Reynolds United	streets	maint/operation	\$9.96
11767	Sanitation Products	streets	repair on sweeper	\$78.91
11768	Septic Tank Servicing	streets	maint/operation	\$185.00
11769	Soholt Bakery	non dept	Sept and October's bill	\$26.80
11770	Stone's Mobile Radio Inc	streets	maint/operation	\$736.59
11771	Tom Moe	Municipal Judge	travel	\$89.68
11772	Tom Nielson	ww treatment	training	\$14.00
11773	Traill County Treasurer	sheriff	contract	\$14,409.68
11774	Traill County Tribune	non dept & sanitation	printing	\$523.00
11775	Traill Rural Water District	water treatment	raw water purchase	\$6,230.54
11776	TRW Debt & Reserve	water 26	debt & reserve	\$2,330.00
11778	United States Postal Service	water	mail presort	\$215.00
11777	USA Bluebook	water treatment	maint/operation	\$1,534.95
11714	USPS	water	postage for water bills	\$221.87
11779	Verizon	all	cell phones	\$231.81
11780	VFW	City hall	flags	\$79.00
11781	Waste Management	sanitation	garbage & recycling	\$35,814.27
11782	Xcel Energy	all	electricity	\$11,792.88
<u>H2O Deposits refunded</u>				
11783	City of Mayville (Blaine Miller)			\$150.00
11784	City of Mayville (Lori Thompson)			\$150.00

\$
173,505.09

Petersen moved to pay the bills, a second by Bohnsack supported the motion, motion carried.

Calendars for November and December were reviewed and discussed.

Tom Neilson received Meritorious Operator Award at ND Water and Pollution Control Conference.

Tonkawater report concerning the water treatment plant: At the urging of TRWD, we previously agreed to allow Tonkawater (Tonka) to perform a free assessment of our water treatment plant with regard to the possibility of converting our sand filters to Greensand Plus. Dan shared drawings and other technical data with Tonka and, on October 26th, Mr. Gary Warner, Executive Vice President, visited the plant. The visit was in response to a phone call that originated at the October 19th Joint Powers Committee meeting. Participants in the plant visit included Neil Breidenbach of TRWD, Steve Ahlschlager of Moore Engineering, Tim Bohmer (a contractor), Merv, myself and, of course, Dan Overmoe. An important note being that Mr. Warner complimented us on having a well-designed plant. He liked what he saw. With respect to the question of: "can we convert to green sand?" the answer, of course, is yes. The real issues are what would it cost and what are the benefits. The project is far more complex than just getting rid of the old sand and replacing it with new. Mr. Warner provides recommendations on how to convert to green sand and an associated planning level cost estimate of \$300,000. He also discusses the benefits of green sand but does not offer an opinion on whether or not the benefits are worth the cost – that is up to us. There is no disagreement that green sand does offer benefits, but we may have disagreements about how significant those benefits are. It is important to note that the green sand benefits are not quality of water issues – rather, they are potential cost of operation issues and they are somewhat unknown as yet.

Although not included in Mr. Warner's letter, the topic of water hardness also came up in discussion at the plant. Gary told us that most municipal water plants they work in make water with a hardness of about 8 grains – essentially right where we are. He didn't understand why we would want to go softer.

The Auditor's office has issued Bingo permits for:
Mayville Golf Club

Forthcoming ND Highway 18 improvements: NDDOT has notified us that they plan to mill and overlay highway 18 from Blanchard to the "Dairy Queen" corner in Mayville during the summer of 1017. About 600 ft. of this work is within the Mayville city limits. Normally, we would be responsible for a fraction of the cost for this 600 ft., but because NDDOT failed to provide timely notification, they have indicated they will not charge us the fee. We will, however, continue to be responsible for maintenance.

Armory water leak repair: We had a leak at the curb stop serving the armory – no argument this time about who is responsible to repair! Naturally, the curb stop is located beneath the concrete serving the front door so repair involved removal and replacement of concrete. Kris Moen did the digging and concrete work, Mayville Plumbing did the leak repair.

ND Transportation Alternatives Program: There is a letter from NDDOT announcing they are accepting applications for Transportation Alternatives Program projects for fiscal year 2018.

Meeting with National Guard: On Thursday November 03 we met with representatives of the ND National Guard led by General Dohrmann. The National Guard confirmed that they will be vacating the Mayville armory. They expect to complete withdrawal by August 2017 but the process will begin in January 2017. Because they were late in getting us this confirmation (an answer was expected in August) they stated they will continue to pay rent through January 2019.

During the Sheriff Report Council was updated that Dylan's car had an incident with a deer – this has been reported to insurance and work will be done locally.

**AN ORDINANCE TO AMEND CHAPTER III, ARTICLE 5 OF THE
REVISED ORDINANCES OF 1979 OF THE CITY OF MAYVILLE BY
AMENDING THERETO ORDINANCE NO. 3-0503.**

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

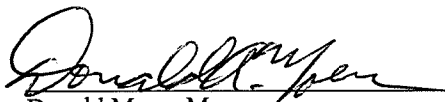
SECTION 1. Ordinance No. 3-0503 of the Revised Ordinances of 1979 of the City of Mayville, North Dakota, is hereby amended and reenacted to read as follows:

3-0503. UNCLAIMED AND ABANDONED PROPERTY – HOLDING – NOTICE AND SALE.

Such personal property as aforesaid shall be held by the city for a period of not less than sixty (60) days, after its seizure as provided herein and, after the expiration of said sixty (60) days the City Auditor shall cause notice to be published in the official paper of said city, said notice specifying and stating the description of the property so seized and held, the location of the place where the same was seized or taken by said city, and a further notice that said property will be sold, at public auction, to the highest bidder for cash, not less than ten (10) days from and after the date of publication of such notice and the hour, date, and place where said sale will be held.

Any sale may be postponed or discontinued by public announcement at the time of the sale when there are no bidders, when the amount offered is grossly inadequate or for other reasonable cause. The city may become purchaser of any or all property at such sale.

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


Donald Moen, Mayor
Mayville, North Dakota

ATTEST:



November 7th, 2016

Gail Olstad, City Auditor

Date of First Reading: 11/7/16
Motion by Petersen, seconded by Lipsiea
Yea: Carlson, O'Brien, Lipsea, Petersen, Bohnsack
Nay: 0
Absent: Meshefski-LaBine

Carlson made a motion to accept Councilman Harry Lipsiea's resignation. O'Brien seconded the motion, motion carried.

Carlson made a motion to complete the pre-chlorination and continuous RO operation at the water treatment plant based on JP of November 2015 and the Autopsy completed in 2016. The total for equipment, programming, and engineering is expected to be \$15,500. Because of certain demands on the part of former TRWD manager Jerome Olson, we changed to a batch mode wherein flow to the finished water basin alternates between RO water and non-RO water. This means the RO's are stopping and starting a lot. In a recent conversation with Wiggins (the RO supplier) they advised that the frequent starts and stops may be putting unnecessary stress on the membranes. We propose to go back to the original design of continuous blending. No equipment changes are necessary but since the maximum flow rate will be smaller, the plant will need to operated additional hours. We do not see this as a problem. Total cost is expected to be around \$2,000. Bohnsack seconded the motion and upon a roll call vote the following voted: Yea: Lipsiea, Petersen, O'Brien, Bohnsack, Carlson; Nay: 0; Absent: Meshefski-LaBine

O'Brien made a motion to renew the Midco Franchise, Bohnsack seconded the motion and upon a roll call vote the following voted: Yea: Lipsiea, Petersen, O'Brien, Bohnsack, Carlson; Nay: 0; Absent: Meshefski-LaBine

AN ORDINANCE AMENDING THE CABLE COMMUNICATIONS FRANCHISE ORDINANCE No. 11-0301.

WHEREAS, MIDCONTINENT COMMUNICATIONS ("Company") holds a cable communications franchise ("Franchise") for the construction and operation of a cable communications system within the City of Mayville, North Dakota ("Grantor"); and

WHEREAS, Grantor and Company have mutually agreed to extend the term of the Franchise by adopting this Ordinance Amendment ("Amendment") and to make such other changes as are mutually agreed upon herein.

NOW, THEREFORE, the City of Mayville hereby ordains:

1. The term of the Franchise is hereby amended to initially expire five (5) years after the current expiration date of November 21, 2016, or November 21, 2021 with an automatic renewal of an additional five (5) years. If the City takes no action to prevent the automatic renewal on or before November 21, 2021, the current franchise ordinance shall be extended with a new expiration date of November 21, 2026.

2. Section 9 of Ordinance No. 11-0301 is amended as follows: "Grantee shall, subject to line extension provisions of Section 4, also provide to the city without charge, at any one six City owned building(s) other than a hospital, nursing home, apartment or building at the airport, to be selected by the City Council of Mayville, one junction terminal to said building and shall also furnish to the building, without charge, basic service to all sets connected within such building to the terminal junction.

3. 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.

4. This Amendment shall be effective upon its passage and publication in accordance with applicable law.

PASSED AND ADOPTED THIS 7th DAY OF November, 2016.

CITY OF MAYVILLE, ND

By: 

Its: *MAYOR*

COMPANY ACCEPTANCE

This Amendment is accepted and Company agrees to be bound by its terms and conditions.

MIDCONTINENT COMMUNICATIONS

November 7th, 2016

CITY OF MAYVILLE

Don Moen, Mayor
ATTEST

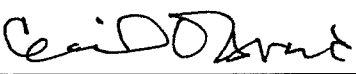
Gail Olstad, City Auditor

STATE OF NORTH DAKOTA)
) ss
COUNTY OF TRAIL)

The foregoing document was acknowledged before me this day of November, 2016 by Don Moen, known to me to be the Mayor, and Gail Olstad, known to me to be the City Auditor of the City of Mayville, and they acknowledged that they executed the within instrument on behalf of such entity.

Notary Public

O'Brien made a motion and Carlson seconded it to adjourn, motion carried.

Attest: 
Gail Olstad Auditor

Mayor: 
Donald Moen