

June 3, 2024, Mayville City Council

The Mayville City Council met in regular session on June 3rd, 2024, at 6:00 pm in the council chambers with Mayor Jorgenson presiding and the following Aldermen responding to call of the roll: O'Brien, Moen, Petersen, Bohnsack. Absent: Gates, Sohlt. Also, in attendance: Julie Christianson, Alivia Olson, LaLynda Blotsky, Cassie Braaten, Brooks Jordan & family. Brandon Smith from Moore Engineering was also present.

O'Brien made a motion to accept the approval agenda on the following items:

1. **January 3, 2022, minutes (Monthly meeting) Not available yet**
2. **May 2, 2022, minutes (Monthly meeting) Not available yet**
3. **October 3rd, 2022, minutes (Monthly meeting) Not available yet**
4. **May 6th, 2024, minutes (Monthly meeting)**
5. **November 6th, 2023, Amended Minutes (Monthly meeting)**
6. **Auditor's Office approvals:** MayPort Community Club – 6/22/24 parade permit during Summerfest; Acorn LLC – 6/22/24 Food Truck during Shrine Football Game; Mayville State Foundation – Raffle 9/28/24; MayPort Community Club – 6/22/24 Raffle Summerfest; Hippie Gone Hotdog – 4/24/24 Food truck permit; New Flavors – 5/28/24 Food Truck; Ohana Shaved Ice – 5/29/24 Food Truck; Liquor License Transfer to Top Hat to Mayville State 6/22/24.
7. **Conferences & Training Opportunities:** ND Rural Water Systems Association Celebration 50th Anniversary – Tuesday July 16th, Bismarck ND. For more information visit www.ndrw.org/50th; ND Water Education Foundation 2024 Water Tours – to register call ND Water Education Foundation at 701-223-8332.
8. **H & H Coating Update:** They are offering to write us a contract this year at this year's prices for next year's painting of the interior – If we are interested.
9. **KPH 2022-2 Project Manager is Josh Smith** – met last Thursday (his email is jsmith@kphinc.net): Any private work please contact Josh Smith at his email. Minutes attached.
10. **Permits for Food Truck** - \$100/year – Physical Plant is requesting to see what rates other cities charge and if there is a one day/special event permit?
11. **IT Server Upgrade:** New machines are now hooked up – Neptune/Meter reading next step.
12. **Dog Issues** – Currently pets are required to be licensed within the city limits. This also applies to Portland. There was an incident between the two towns and Judge Moe has asked to resolve this issue – neither city issues licenses for the junction.
13. **Water needed for street projects** – we are asking contractors to go to the Fire Hall to get their water and use the truck route – not use fire hydrants.
14. **City mows drain west side of cemetery road** – Homeowners are responsible to mow their own on the east side of the cemetery road. Citizens are dumping grass clippings and other things in the new cemetery area.
15. **NDIRF 2023 Annual Report** – see packet.
16. **Polar 2024 Annual Meeting** – is being held on June 6, 2024, at American Legion in Park River.
17. **Street Sweeping to be scheduled before Summerfest.**
18. **One Flagpole** – in the bowl has been switched to allow access from the ground – Thank you Karl and Fire Department for use of ladder truck!!

Moen seconded the motion, motion carried.

1.0 Street & Storm Improvement District 2022-1

- 1.1 Status Update
 - 1.1.1 Punchlist and Work this summer
 - 1.1.2 Defective Work and Corrective Action
 - 1.1.3 Moore Engineering Invoice 38745 - \$32,721.72

2.0 Sewer & Water Improvement District 2022-2

- 2.1 Funding Update – Letter of Conditions
- 2.2 Construction Status Update
- 2.3 Moore Engineering Invoice 38740 - \$15,364.35

3.0 Mayville Dam 2

- 3.1 Design
 - 3.1.1 Final Plans
 - 3.1.2 FEMA
 - 3.1.3 Permitting

3.1.4 Land Acquisition

4.0 Lead Line Inventory

Street & Storm Improvement District 2022-1

Brandon Smith mentioned that Hovland was in town today. He thought possibly the crack & chip seal might start around July 8th, 2024. There is still quite a lot of defective work and corrective action that needs to be completed by the end of summer. Moore Engineering has a quantities list of what still needs to be completed by the contractors.

Moen made the motion to approve payment to **Moore Engineering for Street/Storm for \$32, 721.72**. A second was made by Petersen and upon a roll call vote the following voted; Yea: Moen, Bohnsack, O'Brien, Petersen; Nay: Zero; Absent: Soholt, Gates.

Sewer & Water Improvement District 2022-2

Brandon Smith talked about the USDA Letter of Conditions that has been completed. KPH Inc won the bid for this project. Construction should be starting mid-June to late June. Petersen made the motion to approve payment to **Moore Engineering for Sewer/Water \$15, 364.35**. Moen seconded the motion and upon a roll call vote the following voted; Yea: Petersen, Bohnsack, Moen, O'Brien; Nay: Zero; Absent: Gates, Soholt.

Mayville Dam 2

Brandon touched on the design and final plans that are completed and submitted within 60 days. Still waiting on the No Rise. Brandon thought all the land acquisitions were complete: Harpestad, Miller, Hydroponics, City of Mayville. The Dam project needs to be completed by October 2025.

O'Brien made the motion to approve May and June 2024 actual and estimated expenses.

20943	Aflac	all	insurance	\$512.76
20944	Aflac Inc (Argus Dental & Vision)	all	insurance	\$259.76
20945	American Solutions for Business	all	office supplies	\$195.45
20946	Aramark	all	maint/operation	\$480.97
20947	Brite-Way Window Cleaning	armory	misc	\$109.00
20948	Butler	all	generator annual contracts	\$5,332.00
20949	Canon Financial Services	all	software for copier	\$350.96
20950	Christiansen Cabinets	Library restoration	repair/maintenance	\$160.00
21002	D & D Roofing	Library restoration	repair/maintenance	\$44,298.00
20954	Dakota Natural Gas	streets	heating	\$48.79
20955	Dakota Natural Gas	fire dept	heating	\$59.92
20956	Dakota Natural Gas	water treatment	heating	\$62.85
20958	Diamond Vogel	streets	machinery/equipment	\$5,183.34
20959	ECRWD	water treatment	purchase of raw water	\$3,590.02
20960	Elan Financial Services	all	misc	\$1,906.37
20961	Goose River Bank	water dist & ww	collection fee	\$18.25
20962	Grainger	water treatment	maint/operation	\$345.00
20963	Grand Forks Utility Billing	water treat & ww coll	samples	\$114.00
20964	H.E. Eversons	vector	maint/operation	\$10.95
20965	Hawkins Inc	water treatment	chemicals	\$425.00
20966	Hillsboro Banner	sanitation & non-dept	printing	\$915.70
20967	Huber Electric Motor & Pump Repair	water treatment	laser aligned pumps	\$1,579.00
20969	Kotaco Fuel & Propane	all	fuel for vehicles	\$732.83
20970	Linde Gas & Equipment	streets	maint/operation	\$53.64
20971	Loffler's	all	lease on copier	\$271.52
20972	Manthey Lawncare	cemetery	contract	\$3,250.00
20973	Mathsen Sweeping	streets	maint/operation	\$6,176.25
20974	MayPort Hardware Hank	all	maint/operation	\$360.12
20975	MayPort Hardware Hank	library	furniture & equipment	\$560.98

21000	Mayville Airport Authority	airport	April's spec rec'd in May	\$122.33
20976	Midcontinent Communications	all	internet & phones	\$1,381.31
20977	Midwest Repair	streets	repair of Ford truck	\$239.98
20979	Miller's Fresh Foods	city hall	misc	\$68.30
20980	Miller's Fresh Foods	library	maint/operation	\$36.84
21001	MPEDC	sales tax	April's sales tax rec'd in May	\$6,508.37
20981	ND Dept of Environmental Quality	water distribution	maint/operation	\$34.43
ACH	NDPERS	all	insurance	\$3,413.52
20982	Network Center	all	datto backup, Office 365	\$732.25
20983	Nilson Brand Law	all	legal issues	\$855.50
20984	NWPE	water treatment	maint/operation	\$634.00
ACH	OneAmerica	all	retirement	\$2,586.52
20985	One Call Concepts	water distribution	maint/operation	\$26.35
20986	PC Plus	auditor's office	computer	\$300.00
20987	Polar	auditor's office	lease on phones	\$59.00
20988	Precision	water treatment	maint/operation	\$150.00
20989	Reliance Standard	all	life insurance	\$360.50
20990	Soholt Bakery	city hall	misc	\$60.00
20991	Thermal Air	armory	repair/maintenance	\$2,374.45
20992	Trail County Equalization	state aid & sales tax	professional services	\$15,270.00
20993	Trail County Treasurer	sheriff	monthly contract	\$26,118.00
20994	USPS	aud, water dist & ww	postage for water bills	\$323.99
20995	Valley United	vector & ww	chemicals	\$471.24
20996	Verizon	all	cell phones	\$235.72
20997	Waste Management	sanitation	garbage & recycling	\$26,132.31
20998	Water Smith Inc	water treatment	repair/maintenance	\$2,533.95
20999	Xcel Energy	all	electricity	\$6,820.34

H2O Deposits refunded

20951	City of Mayville (Deb Stave)	\$15.93
20952	City of Mayville (Jacob Strand)	\$65.62
20953	City of Mayville (Miguel Martinez)	\$121.09
20957	Deb Stave	\$134.07
20968	Jacob Strand	\$84.38
20978	Miguel Martinez	\$28.91
		<u>\$175,662.63</u>

Bohnsack seconded the motion, motion carried.

Approval of financial reports: April 2024 Condensed Operating Statement, Reconciled. 2023 Final adjusting Entries to be done yet. After Open and USDA requests. The financial reports were tabled until next month.

Review Calendars: June, July & August 2024: Note: City Offices closed for the following holidays: July 4th & 5th. Election Day June 11th, July 1st Organizational Meeting to be held at the Beginning of the regular Council meeting. August 20th New specials to County. Committee meetings: Council meetings are the first Monday in the month unless it is a holiday, then they are held the second Monday. Physical Plant Committee is 7a the Wednesday preceding Council and Admin Committee is held Council Monday at 4:30pm. Exceptions that arise will be reviewed at the City Council meetings and changes will be posted and on the calendar. O'Brien made the motion to accept the calendars as presented. Petersen seconded the motion, the motion carried.

Blight letters have been sent out once – rechecked and some of the properties have not been compliant. A second letter will be sent. If nothing is done after the second letter, we will turn it over to the City Attorney, probable list of non-compliant citizens. O'Brien made the motion to approve sending the City Attorney a list of non-compliant citizens. Petersen seconded the motion and upon a roll call vote the following voted; Yea: Bohnsack, O'Brien, Petersen, Moen; Nay: Zero; Absent: Gates, Soholt.

Cemetery Caretaking – Where are we at? Pay Manthey Lawncare? Discussion was held that the weather has not really cooperated greatly this spring, but the caretaking has seemed to fallen short. Bohnsack asked the deputy auditor to hold off paying Manthey Lawncare until he gets a chance to check over the cemetery and he will let me know whether to release payment or not.

O'Brien made the motion to accept Kelli Tvedt and Lynn Slaathoug-Moen as new members to the Mayville Library Board. Bohnsack seconded the motion, the motion carried.

The council tabled the Verizon rates discussion at May's meeting. It was tabled again now in June's meeting. Verizon rates \$12,720 for 5 years, with a 15% term escalator (total of 25 years).

Bohnsack made the motion to the Second Reading of the Sales Tax Ordinance as follows. O'Brien seconded the motion and upon a roll call vote the following voted; Yea: Petersen, Moen, Bohnsack, O'Brien; Nay: Zero; Absent: Soholt, Gates.

AN ORDINANCE IMPOSING A CITY SALES TAX IN MAYVILLE, NORTH DAKOTA

SECTION 1: PURPOSE

The purpose of this ordinance is to levy and impose a city sales tax on the gross receipts from retail sales made within the city limits of Mayville, North Dakota, and to provide for the administration, collection, and enforcement of said tax.

SECTION 2: DEFINITIONS

For the purposes of this ordinance, the following definitions shall apply:

- (a) "City" means the City of Mayville, North Dakota.
- (b) "Person" means any individual, firm, partnership, corporation, or other entity making a retail sale within the city limits of Mayville.
- (c) "Retail sale" means any sale, lease, or rental for any purpose other than for resale, sublease, or subrent.
- (d) "Gross receipts" means the total selling price of all retail sales made within the city limits of Mayville.

SECTION 3: IMPOSITION OF SALES TAX

That the 1% sales tax for the dedication of tax proceeds to be dedicated to the Mayville State University Fieldhouse which expired in December 31, 2023 be dedicated to the city's infrastructure. It is hereby imposed a city sales tax on the gross receipts from all retail sales made within the city limits of Mayville at a rate of One Percent [1%] and shall be dedicated to that it be allocated for infrastructure improvements including publicly owned utilities and repair, replacement, reconstruction, acquisition, expansion, renovation and maintenance of streets and sewers.

SECTION 4: ADMINISTRATION AND COLLECTION

- (a) The city shall have the authority to administer and collect the sales tax imposed by this ordinance.
- (b) Every person making sales and uses shall be subject to the tax imposed by this ordinance shall collect the tax from the purchaser at the time of the sale and shall remit the tax to the city in accordance with the rules and regulations established by city and law.

SECTION 5: PENALTIES AND ENFORCEMENT


(a) Any person who fails to collect or remit the sales tax imposed by this ordinance shall be subject to penalties, interest, and other enforcement actions as provided by law.

(b) The city may initiate legal proceedings to enforce the provisions of this ordinance and to

SECTION 6: REPEAL OF CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

EFFECTIVE DATE: This Ordinance shall be in full force and effect after passage and as provided by law.



Mayor, City of Mayville

ATTEST:



City Auditor, City of Mayville

First Reading: 05/06/2024

Second Reading: 06/03/2024

Tabled from last meeting to have Fire Signal and Test Signal programmed into the Sheriff 911 center as all we have now is Tornado. It was decided again to table it until the July meeting.

Last month the request to convert 401(a) and 457 Retirement Plans to Lux Wealth was tabled. Moen made the motion to approve moving the Retirement Plans from One America to Lux Wealth contingent on employee approval. O'Brien seconded the motion and upon a roll call vote the following voted; Yea: Petersen, O'Brien, Bohnsack, Moen; Nay: Zero; Absent: Gates, Sohlt.

Tabled from this meeting was Midwest Inspection Services – Inspects Commercial and ADA compliance. No cost to the city as service fees are collected from the permit applicant. Use with other cities.

The City Auditor had raised the question of requesting an increase in water nominations on RRVWSP? Alderman Bohnsack advised to contact Steve from RRVWSP for that information.

Riverwood Lot Purchase Agreement – 568 7th Ave SE (Lot 10 & S ½ Lot 11, Blk 2) \$6,000 Map & floorplan included for Everett & Brooke Jordan. There are 4 lots there and it was decided to make those 4 lots into 3 lots. Petersen made the motion to accept this purchase agreement contingent on Planning & Zoning and Riverwood Committee approval. Bohnsack seconded the motion and upon a roll call vote the following voted; Yea: Petersen, Moen, Bohnsack, O'Brien; Nay: Zero; Absent: Gates, Sohlt.

Moen made a motion to replace 2 old check valves with new at approximately \$1,500 to \$2,000, before water tower work (Part of 2022-2?). Petersen seconded the motion and upon a roll call vote the following voted; Yea: O'Brien, Bohnsack, Moen, Petersen; Nay: Zero; Absent: Soholt, Gates.

A request for BMS Pay Proposal – Pau with credit card, online or call in, integrated with Black Mountain Utility Billing. It was tabled until the next meeting.

O'Brien made the motion to approve the Resolution setting the Auditor's Bond Limit in the amount of \$2,000,000. Petersen seconded the motion and upon a roll call vote the following voted; Yea: O'Brien, Moen, Bohnsack, Petersen; Nay: Zero; Absent: Gates, Soholt.

O'Brien made the motion to approve the Auditor's bond

Resolution Setting Auditor Bond Limit

Whereas, The City of Mayville is covered by a blanket bond by the North Dakota state bond fund; and,

Whereas, the North Dakota state bonding fund provides fidelity bond coverage for the city employees and public officials in dealing with public funds; and,

Whereas, the bond is fixed by the city governing body and set by resolution as outlined in NDCC 40-13-02; and,

Whereas, at the June 3rd, 2024 regular City Council meeting of the Mayville City Council the current bond limits were reviewed and found to be sufficient.

Now, therefore, be it resolved by the city council of the city of Mayville, North Dakota, that the auditor bond coverage by the state bonding fund in the amount of two million dollars (\$2,000,000), has been reviewed and found sufficient.

Dated this 3rd, day of June 2024

Petersen seconded the motion and upon a roll call vote the following voted: Yea: O'Brien, Moen, Bohnsack, Petersen Nay: Zero Absent: Gates, Soholt

Attest: 
Gail Olstad, City Auditor

Mayor: 
Karl Jorgenson

Nothing for the Sheriff's report

Moen made the motion to adjourn the meeting. Bohnsack seconded the motion, motion carried.

Attest: 
Julie Christianson, Deputy Auditor

Mayor: 
Karl Jorgenson