

CAVALIER CITY COUNCIL REGULAR MEETING

APRIL 2, 2018

7:00 O'CLOCK P.M.

ROLL CALL: Mayor Briese, Council members Hinkle, Menzies, Cluchie, Carpenter, Vaughn and Storie

ABSENT: None

GUESTS: Auditor Werner, OM Walton, Attorney Rob Fleming, COP Adam Ziegler, David & Robin Hartz, Rachel Morrison, Jeff Stevenson, Daryl Thompson, Wade Jensen, Don Thomson, Traci Colsen, Zelda Hartje

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

APPROVE MINUTES

Motion made to approve minutes from the Regular Meeting on March 5, 2018. M/S/P – Menzies, Storie: 6:0, mc. Motion made to approve the minutes from the Special meeting on March 15, 2018 as corrected striking out OM Walton from the guest list. M/S/P – Vaughn, Carpenter; 6-0, mc.

APPROVE BILLS & FINANCIALS

Motion made to approve the payment of all City and Municipal Utility bills and financials as submitted for March 2018. M/S/P – Storie, Vaughn: 6:0, mc.

GAMING PERMITS

Gaming permit applications were received from the Cavalier Area Chamber of Commerce and the PCMH Auxiliary. Auditor Werner noted changes in the amounts applied for on the PCMH application, which was called in earlier by the applicant. Storie questioned the CACC permit as the site location was outside of city limits and therefore outside of our jurisdiction. Chamber Director Morrison was present to clarify and indicated she'd conduct the drawing from her office versus having to reapply thru the County. Also questioned was the missing site address for the PCMH application. The applicant simply didn't know the building address. Motion made to approve the gaming permit applications for CACC and PCMH Auxiliary with the above noted changes. M/S/P – Vaughn, Carpenter: 6:0, mc.

SPECIAL EVENT APPLICATION

Thompson's Supper Club applied for a special event permit to extend their liquor license to the intersection of Main St. West and West 1st Ave N for the June 15-16, 2018 Motorcycle Ride-In. Motion made to grant Thompson's the special event permit for the 2018 Ride-In. M/S/P – Menzies, Cluchie: 6:0, mc.

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SPINAL DESIGNS WRITE-OFF

Auditor Werner informed the Council that we were contacted by the Regional Council to draft a letter to the ND Department of Commerce Division of Community Services (DCS) to write off the remaining balance for the Spinal Designs International, Inc. loan that was sponsored by the City of Cavalier through the DCS Community Development Block Grant CDLF program. The business ceased operation and vacated Cavalier many years ago. The write-off would have no financial or other impact to the City of Cavalier. Motion made to draft the write-off letter. M/S/P – Storie, Carpenter: 6:0, mc.

LIQUOR LICENSE APPLICATION – UGLY’S TAVERN, TRACI COLSEN

Application has been made by Traci Colsen for a liquor license to operate Ugly’s Tavern effective April 2018. Auditor Werner informed the Council that the current license holder, Shawn Pettigrew, emailed her requesting that his license be terminated effective March 31, 2018. All of Ms. Colsen’s paperwork has been received and found to be sufficient. She has also submitted the appropriate fees to move forward. Motion made to approve the liquor license for Traci Colsen, d/b/a Ugly’s Tavern for the period April through December 2018. M/S/P – Carpenter, Vaughn: 6:0, mc.

BJORNSON DRIVE DRAINAGE – UNITED LUTHERAN CHURCH, JEFF STEVENSON

Jeff Stevenson, representing ULC, was present to inquire if something could be done with the drainage in front of the Church. The dip in the road is broken up, is rough and holds water. Discussion was held on past problems in that area and efforts that have previously been made to alleviate drainage in the area. Council member Hinkle indicated that she’d like to see more than just a temporary fix/repair. Further discussion held. Council instructed OM Walton to research our options for the next meeting.

BUILDING PERMIT/ASSESSMENT GUIDELINES – ASSESSOR ZELDA HARTJE

Assessor Hartje and Auditor Werner requested the Council to put guidelines in place in regards to sheds. Specifically to determine at what point a shed would require a building permit and be assessed. Discussion held regarding real vs. personal property, size requirements, etc. Assessor Hartje recommends requiring permits for sheds over 120 sq feet regardless of a concrete or wood floor and that she would tax them at that point. Mayor Briese and Council member Storie don’t want to tax sheds unless they’re on a permanent floor, which is how it’s done now. Auditor Werner and Assessor Hartje reiterated that they are looking for the Council to put some guidelines in place so there’s consistency. Attorney Fleming will research the Century Code and draft some examples to be reviewed at the upcoming Equalization meeting.

LAND ACQUISITION – M. MCKECHNIE

Auditor Werner has met on several occasions with Marian McKechnie to discuss the acquisition of land for construction of a new water tower. Ms. McKechnie drafted a letter indicating she’d be willing to sell the proposed 100’ x 100’ parcel of land adjacent to the Pines Bike Path and Cavalier Public School grounds for \$3,000 with the stipulation that her land renter be compensated should damage occur to his crop during

construction. She requested her attorney, Wes Argue be consulted on the specific wording of the agreement. Motion made to accept the proposal from Ms. McKechnie to purchase the 100' x 100' parcel of land for \$3,000 for the water tower site with the funds coming from the Water Improvements Fund. M/S/P – Cluchie, Hinkle. RCV – Carpenter Y, Menzies Y, Hinkle Y, Cluchie Y, Vaughn Y, Storie Y. 6:0, mc.

CAMPGROUND PROPOSAL – TODD & AMY NORDSTROM

Auditor Werner reported that the Nordstrom's asked for more time to prepare their proposal. Table until further notice.

ATTORNEY REPORT

Attorney Fleming reported that it was discovered that the property owned by Tom Beard, previously owned by Earl Morrison, was never annexed into the city limits. The resolution of annexation was adopted by the council in 1975 but the document was never recorded with the County. The issue has just been resolved and the property is now annexed.

ADMINISTRATIVE REPORT

- **Pines Sewer** – Auditor Werner reported that conversations with the State regarding the funding for this project thru the CWSRF program revealed that our project wasn't fully funded. It was understood by AE2S and this administration that the program would fund 30% of the project costs with loan forgiveness and the remaining 70% at a rate of 2% over 30 years. Jarda indicated that the project application appeared to be as such also. The State indicated that we were required to finance the 70% with other sources. This was a surprise to everyone. The State indicated that if we amend our facility plan to indicate that there have been system failures in the Pines, we could potentially make our entire project eligible for funding. AE2S amended the plan after speaking to residents of the Pines and finding that failures have occurred. The State indicated that we would be eligible for the full project costs, again with 30% at loan forgiveness and 70% at a rate of 2% over 30 years. We will need to amend our application with updated financials and budget information. Werner will find out if this would be an amendment to the original application or an entirely new application and what this will do to the project timeline.

COUNCIL COMMENTS

- **Menzies** – Has been getting complaints on dogs barking. CPD hasn't received any calls for service. Asked to have complainants contact the CPD with concerns in the future.
- **Hinkle** – Asked Auditor Werner to reach out to B. Lage again regarding Industrial Park lots.

ADJOURNMENT

Motion to adjourn at 8:20 p.m.

APPROVED BY:

Kenneth Briese, Mayor

ATTESTED TO:

Katie Werner, City Auditor

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