

## Unofficial PROCEEDINGS OF THE MOTT CITY COUNCIL

February 7, 2012

The Council met for their monthly scheduled meeting on February 7, 2012. This was off schedule due to schedule conflict with our regular scheduled day, which would've been on February 13. Present were Mosbrucker, Steiner, Zich, Scheeler, Messmer, Wangsvick and Riedlinger. Also present for the meeting were Sheriff Warner, Mark Resner, Mary Messer, LaKrisha Augare, Gilbert Mehrer, and Steve Sloan. All motions are carried, unless otherwise stated.

The meeting was called to order and Riedlinger moved to approve the previous minutes as presented, seconded by Wangsvick.

Sheriff Warner gave the police report. She made council aware of a new substance called tannerite, an explosive substance, getting into the area, which is legal and that council may want to look into restricting it in city limits. Riedlinger moved to accept police report as given, seconded by Wangsvick. Council discussed the new resolution passed in December of 2011, of having no more inactive accounts such as: "temporary off", "seasonal off", or "snow bird rate" for city auditor clarification for billing purposes. Messer was present to disapprove of this resolution that was passed. Mehrer questioned how it would affect his trailer in west Mott, in which council told him that he would get monthly billing, even though his water is currently turned off. Sloan and Resner were present to show support for resolution. Wangsvick moved and Steiner seconded that if an account was utilized in 2011, effective January 1, 2012 these accounts will continue to have regular monthly charges, along with everyone else. They no longer will be charged on or off fees if turned on or off during regular working hours. If this should bring upon a hardship, this can be presented to council on a case by case basis.

Council reviewed reports, plans and specs, and agreement by Kadrmas, Lee and Jackson presented for the upcoming **Street Repair and Seal Project 2012-1**. Messmer moved and Zich seconded to approve the engineers report. Zich moved and Riedlinger seconded to have Kadrmas Lee & Jackson develop the plans and specs. Wangsvick moved and Steiner seconded signing the agreement with Kadrmas, Lee and Jackson.

Council will meet on February 22 at 7:00 pm to review KLJ's plans and specs.

Messmer moved and Riedlinger seconded **AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$700,000: CITY OF MOTT, NORTH DAKOTA SALES TAX REVENUE BONDS TO FINANCE STREET IMPROVEMENTS:** WHEREAS, the Mott City Council is authorized under Ordinance No. 171, Chapter 21, Article 1 of the City of Mott Municipal Code to levy a 1.5% sales and use tax on taxable sales within the City of Mott (the "City"); and WHEREAS, Ordinance No. 171 dedicates two-thirds, or one percent, of the revenues raised and collected from the sales and use tax to be used towards the improvement, repair and maintenance of the City streets and other infrastructure; and WHEREAS, the City Council has determined it necessary to make certain improvements to the City streets as set forth in the engineer's preliminary report and costs estimated dated February 3<sup>rd</sup>, 2012 (the "Project"); and WHEREAS, the City Council has the power under Article 3 of the City's Home Rule Charter to issue bonds to finance the construction of the Project; and WHEREAS, the City Council has determined that it is necessary to issue bonds payable from future collections of its sales and use tax to finance the construction of the Project. **NOW THEREFORE, THE MOTT CITY COUNCIL HEREBY ORDAINS:** Section 1. Authorization of Sales Tax Revenue Bonds. Pursuant to the provisions of the Home Rule Charter, the Municipal Code and Ordinance 171 of the City of Mott, the City hereby authorizes the issuance of sales tax revenue bonds of the City in an amount not exceeding \$700,000.00 for the purpose of financing the Project. The bonds may be sold at private negotiated sale or competitive sale as determined by the Mott City Council. Section 2. Source of Payment for the Bonds. The bonds shall be a special, limited obligation of the City, and unless paid from other sources, shall be payable from 100% of the revenues collected from the one percent sales and use tax imposed by Ordinance No. 161 and restated in Ordinance No. 171. The sales and use tax, and so much thereof as is necessary is hereby pledged to prompt payment of the principal of, premium, if any, and the interest on the bonds. The City shall continue to levy and collect the sales and use taxes until the bonds have been paid in full, or earlier termination date of the sales and use tax. Section 3. Further Action. The Mott City Council shall adopt a resolution or resolutions providing for the issuance and sale of the bonds and specifying the terms of the bonds. The appropriate officers of the City are hereby authorized and directed to take all such action, execute, deliver, file and record all such documents, publish all notices and otherwise carry out the intent of the Mott City Council in the enactment of this Ordinance and the issuance of the bonds.

All voted “aye”. 1<sup>st</sup> reading passed.

Messmer moved to approve the 2<sup>nd</sup> reading of AN ORDINANCE ADOPTING FLOOD INSURANCE STUDY, which was enclosed in full in previous minutes. Scheeler motioned to second with all council voting “aye” for final passage.

Council reviewed the Playhouse Theatre and the Mott Country Club’s profit & loss reports for 2011. Councilman Zich introduced and moved the adoption of the following resolution: **BE IT RESOLVED**, by the City Council of the City of Mott, ND: **WHEREAS**, the City Council is authorized under Chapter 21, Article 1 of the City Ordinances to levy a 1.5% sales and use tax on taxable sales within the City which is allocated two-thirds to improvement, repair and maintenance of streets and one-third to the Park District for the payment of the swimming pool renovation; and **WHEREAS**, the loan for the swimming pool renovation is nearly full paid, and the City Council finds it now necessary to increase the sales and use tax and provide for more flexibility in the allocation thereof; **THEREFORE BE IT RESOLVED** by the City Council that 1. Proceedings pursuant to Section 40-05.1-07 NDCC to amend the Home Rule Charter shall be initiated. 2. The Charter Commission comprised of Mark Resner, David Crane, Michael Wangsvick, Troy Mosbrucker and Cory Warner are hereby appointed. Mark Resner is designated as chairman. The above and foregoing resolution was seconded by Councilperson Riedlinger, and upon roll call, all members voted in favor of the same and none voted against, and said resolution was declared carried and duly adopted.

Building Permit #1705 was submitted by the Slope-Hettinger Soil Conservation District for a new building for on the corner of Brown Avenue and 3<sup>rd</sup> Street. Wangsvick moved to approve, seconded by Zich.

An application for Property Tax Incentive for New or Expanding Business was received from 4 Corners Car Wash LLC for which they would like to utilize for a 30x156 wood with metal siding, cement floor with thirteen 12x30 storage units. Zich moved and Riedlinger seconded to approve a three year at one hundred percent with the next two years at eighty percent. All were in favor.

An application from Timber Creek Properties LLC was also received for Property Tax Incentive, but has noted a competitor on its application. It needs to do its publishing of Notice to Competitors and will hold a hearing at 6:45 on March 12, prior to councils next meeting. The application can then be brought before council.

Resner discussed with council the need for interest buy down for area businesses applications.

Riedlinger moved and Steiner seconded to take five thousand (\$5,000) per year out of city sales for the city’s support.

Wangsvick moved and Riedlinger seconded the approval of Timber Creek Properties LLC interest buydown. Messmer abstained from voting and all other council approved.

Zich moved and Messmer seconded the interest buydown for the Playhouse Theatre for up to \$1,000.

Bills were presented. Messmer moved to pay the following bills, seconded by Zich.

The amount of \$10,957.35 in salaries and deductions were paid as authorized. 34334 Roosevelt-Custer, 10,935.00; 34335 AT&T, 99.89; 34336 MDU 3,884.70; 34337 Visa, 145.50; 34349 Hettinger County, 6,96.00; 34350 M&O Sanitation, 2,824.80; 34353 Bank of ND, 750.00; 34354 BM Web Design, 756.00; 34355 Consolidated, 175.04; 34356 Country Media, 191.40; 34357 Fitterer Sales, 216.61; 34358 Frieze Auto, 6.89; 34359 James Stern, 262.77; 34360 Junior Library Guild, 334.80; 34361 Lance Olson, 156.25; 34362 M&O Sanitation, 2,782.85; 34363 Mott Equity, 236.95; 34364 Mott Park District, 2,822.26; 34365 ND Dept. of Health, 590.34; 34366 ND One Call, 2.60; 34367 ND Rural Water Systems, 200.00; 34368 Pamela Steinke, 123.81; 34369 Postmaster, 45.00; 34370 Roger Senn, 420.00; 34371 SW Water, 6,702.21; 34372 St. Paul Stamp Works, 98.80; 34373 The Herald, 67.00; 34374 Western Steel and Plumbing, 741.14; 34374 WSI, 1,888.03; 34379 Mott Bus, 200.00

Council reviewed the pledge of assets received, Steiner moved to approve, seconded by Zich.

Messmer moved to adjourn, seconded by Riedlinger.

ATTEST:

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Jeri Schmidt  
Auditor

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Troy Mosbrucker  
Mayor

**Unofficial PROCEEDINGS OF THE MOTT CITY COUNCIL**  
**February 22, 2012**  
**SPECIAL MEETING**

The Mott City Council met on Wednesday, February 22, 2012 for a special meeting to go over the plans and specs for the Street Repair and Seal Project 2012.1. Present were Mosbrucker, Scheeler, Riedlinger, Wangsvick, and Messmer. Absent were Steiner and Zich. Also present were Jim Privatsky and Kerry Mosbrucker. Motions are carried unless otherwise noted.

Council reviewed the plans and specs with Jim Privatsky of Kadrmas, Lee and Jackson for the Street Repair and Seal Project 2012.1. After review and discussion, Messmer moved to approve the plans and specs, seconded by Wangsvick.

Messmer moved to adjourn, seconded by Riedlinger.

ATTEST:

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Jeri Schmidt  
Auditor

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Troy Mosbrucker  
Mayor