

PROCEEDINGS OF THE MOTT CITY COUNCIL
March 9, 2015

The Council met for their monthly scheduled meeting on Monday, March 9th, 2015. Present were Mayor Mosbrucker, Council members Steiner, Quamme, JohnsonWangsvick, Riedlinger, Messmer and Superintendent Mosbrucker. Also present was Sheriff Sarah Warner, Deputy Josh Bullinger, Regan Britz (MDU), Wilbert Herner, Lindsay Krebs, John Wilczek, Steve Sloan, Lori Eggers, and Garrett Swindler. All motions are carried, unless otherwise stated.

Messmer moved and Wangsvick seconded the approval of the minutes from the February meeting.

Sheriff Warner went over the police report for February. Investigations were drug related and juvenile Problems. Worth noting was 13 drug investigations since the beginning of the year.

Lindsay Krebs and John Wilczek were present from KLJ to discuss possible solutions to water runoff and flooding problems on East 5th St. John presented 3 possible solutions. The Council is going to research further before any decisions will be made.

Regan Britz, from MDU, was present to answer any questions about our franchise renewal. The franchise is like a blanket easement that allows MDU to operate and maintain gas and electric services. Messmer moved and Steiner seconded the first reading of the MDU Franchise Ordinance. A roll call vote was taken: Steiner 'aye'; Quamme 'aye'; Johnson 'aye'; Riedlinger 'aye'; Wangsvick 'aye'; and Messmer 'aye'. Motion carried: **ORDINANCE NO. 1 AN ORDINANCE GRANTING TO MONTANA-DAKOTA UTILITIES CO., A DIVISION OF MDU RESOURCES GROUP, INC., A CORPORATION, IT'S SUCCESSORS AND ASSIGNS, THE FRANCHISE AND RIGHT TO CONSTRUCT, STREETS, ALLEYS AND PUBLIC GROUNDS OF THE CITY OF MOTT, HETTINGER COUNTY, NORTH DAKOTA. A GAS DISTRIBUTION SYSTEM FOR TRANSMITTING AND DISTRIBUTING NATURAL OR MANUFACTURED GAS, OR A MIXTURE OF BOTH, AND AN ELECTRIC DISTRIBUTION SYSTEM FOR TRANSMITTING AND DISTRIBUTING ELECTRIC ENERGY FOR PUBLIC AND PRIVATE USE.** The City Commission, City of Mott, Hettinger County, North Dakota. SECTION I. For convenience, herein, said municipal corporation is designated and referred to as "Grantee". Any reference to either includes their respective successors and assigns. SECTION II. There is hereby granted to Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., a corporation, Grantee, it's successors and assigns, subject to the limitations herein stated, the right and franchise to occupy and use the streets, alleys and public grounds of the Municipality as now, or hereafter constituted, for the purpose of constructing, maintaining, and operating, within, upon, in and under the same, a gas distribution system for transmitting and distributing natural or manufactured gas, or a mixture of both, and an electric distribution system for transmitting and distributing electric energy for public and private use. SECTION III. Grantee shall maintain an efficient distribution system for furnishing natural or manufactured gas, or a mixture of both, and an electric distribution system for transmitting and distributing electric energy for public and private use at such reasonable rates as may be approved by the Public Service Commission of the state wherein said Municipality is located and under such orders, rules or regulations as may be issued by the federal or state agency having jurisdiction thereof. SECTION IV. This franchise shall not be exclusive and shall not be construed to prevent the Municipality from granting to any other party the right to use the streets, alleys, and public grounds of tire Municipality for like purposes. SECTION V. The Municipality reserves any right it may have, under its police power, or otherwise, to control or regulate the use of said streets, alleys, and public grounds by Grantee. SECTION VI. Grantee shall indemnify and save and hold the Municipality harmless from any loss or damage due to the construction, installation, and maintenance of its distribution system, and its use of the streets, alleys, and public grounds of the Municipality. SECTION VII. Grantee shall have the right to assign this franchise to any party, or corporation, but all obligations of Grantee hereunder shall be binding upon its successors and assigns. SECTION VIII. Within thirty (30) days after Grantee is notified of passage and final approval of this Ordinance, Grantee shall file with the clerk or auditor of the Municipality its written acceptance of this franchise. SECTION IX. This franchise shall continue and remain in full force and effect for a period of twenty (20) years from the date upon which this ordinance shall become effective as provided by law.

Garrett Swindler was present to ask about the zoning of his property in the city and to ask what would be required to replace one of his Quonset huts. The city council would require a public hearing once Garrett submitted a plan.

Steiner moved and Reidlinger seconded the approval of building permit #1815 – Steve Sloan – Garage.

City Superintendent Mosbrucker reported the Rogers property is just about finished being cleaned up after the demolition. The new tar kettle is filled and ready to start patching the street. There are several manholes that need to be elevated. The cost is approx. \$160 each. One lagoon aerator is ready to go as soon as the ice breaks up. The second one needs the gearbox changed and it will be ready to go as well.

Update on the Marlow house is that lienholder doesn't want to work with us, but the City Attorney will continue to forge an agreement.

Johnson moved and Steiner seconded accepting the NDDOT Cost Participation and Maintenance Agreement for the location ND 8, Mott to 1.4 miles North Hettinger/Stark County Line, City Section. A roll call vote was taken: Steiner 'aye'; Quamme 'aye'; Johnson 'aye'; Riedlinger 'aye'; Wangsvick 'aye'; and Messmer 'aye'. Motion carried.

The Governor signed SB2103, "Surge Bill" at the end of February. Mott was one of the eligible cities and we received "Surge" funds on 3/6/15. These monies are earmarked to improve infrastructure in oil producing counties. Mott received \$323, 913.92 for street, water and sewer projects.

The city is taking bids for a street sweeper. The notice for bids was in the 3/6 Herald and will be in 3/13 Herald. All bids are due at noon on 4/10/15 with bids opened at the next City Council meeting on 4/13.

Steiner moved and Messmer seconded the approval of a City Sales Tax Grant application from the Cannonball Senior Citizens Center for a podium with speakers and microphone.

The two CDs will mature at the end of the month. Since the City is looking to purchase a street sweeper the CDs will be rolled over into a 31 day CD until the street sweeper bids are opened and a decision is made.

Riedlinger moved and Quamme seconded that the City Superintendent and the Auditor order \$2500 worth of Christmas street decorations to replace some existing decorations.

A policy change was requested that city employees must live within city limits. The first reading will be at the April meeting.

Wangsvick moved and Johnson seconded the approval of the following Raffle Permits: #313 Taylorskartvedt American Legion Post 71 Raffle and #314 Hettinger County Fair Association Raffle.

NDPERS went through their healthcare provider bid process and Sanford won the bid. Sanford came in at 15% above current costs and BC/BS was 17% so NDPERS awarded the contract to Sanford. NDPERS and Sanford promise a seamless transition. The change is effective 7/1/15.

The city will be putting the Rogers property up for bid with the stipulation that a house must be built on the property within 12 months of the sale date.

Johnson moved and Messmer seconded the approval of the following bill payments:

The amount of \$15,155.29 in salaries and deductions were paid as authorized. #36104 Visa \$541.04; #36105 Visa \$276.13; #36114 Hettinger County \$7642.80; #36115 M&O Sanitation \$3124.80; #36116 SW Diesel & Repair \$250.00; #36128 AT&T Mobility \$181.31; #36129 Bobcat of Mandan \$248.44; #36130 Cannonball Sr. Citizens \$500.00; #36131 Consolidated \$179.45; #36132 Country Media \$91.14; #36133 Fitterer Sales \$2296.35; #36134 Frieze Auto Parts \$340.54; #36135 M&O Sanitation \$2206.78; #36136 Mott Equity Exchange \$589.19; #36137 ND State Tax Commissioner \$228.18; #36138 Northern Improvement \$1120.00; #36139 Southwest Business Machines \$67.99; #36140 Southwest Water Authority \$7486.00; #36141 Stelter Repair \$2321.35; #36142 SW Diesel & Repair \$1919.45; #36143 TEAM Labs \$1770.00; #36144 The Herald \$70.00.

Messmer moved to adjourn and Steiner seconded.

ATTEST:

Pamela Steinke
Auditor

Troy Mosbrucker
Mayor