

CITY OF ARNEGARD
City Council Meeting Minutes
February 09, 2015
Official

A meeting of the City Council of the City of Arnegard was called to order at 7:00 p.m. on Monday, February 09, 2015, at the Arnegard City Hall, by Mayor Jeffrey Kindel.

PRESENT: Mayor Jeffrey Kindel; Council Member(s) Bryan L. Bjornstad, Timothy C. Homiston, Patrick Brunson and Sharon Lane; City Auditor Juelie M. Bancroft; City Attorney Jordon J. Evert; Maintenance Worker Del Haight; Police Officer Troy White Owl

ABSENT: City Engineers Kate Nelson and Ingrid Heggen

GUESTS: Nancy Haight, Larry Faulkner, Sherry Lervick, Ric Thompson, Attorney Joshua Feneis, Leonard Fulford, Virginia Elliot, Kip Morris, Margaret Hilbers, Joshua Moody, Rob Williams, and other non-speaking guests.

Public to Speak: None

Agenda amended to reflect Attorney Joshua Feneis to speak on behalf of the PDQ Club Inc. Motion made by Bjornstad, seconded by Lane, to approve the agenda, as amended. Roll call: Ayes: 4 Nays: 0. Motion carried.

Motion made by Bjornstad, seconded by Brunson, to approve the meeting minutes of January 12, 2015, as presented. Roll call: Ayes: 4 Nays: 0. Motion carried.

City Auditor Bancroft presented the Financial Reports for the month of January, 2015. Said Financial Reports consist of the Balance Sheet, Profit and Loss Budget Performance, A/R Aging Summary, Bank Reconciliation Report, Unpaid Bills Detail Report and Fund Balance Report; all were reviewed by the City's Finance Committee with a recommendation for approval of such. Discussion was held on the financial reports. Motion was made by Homiston, seconded by Bjornstad, to approve the January, 2015 Financial Reports and pay the monthly bills, as presented. Roll call: Ayes: 4 Nays: 0. Motion carried.

Check #:	Payee:	Amount:
13073	Access Printing Solutions	\$ 429.94
13074	Advanced Business Methods	\$ 8,976.89
13075	AE2S	\$ 5,385.34
13076	Armstrong Sanitation	\$ 3,034.00
13077	Badlands Hardware	\$ 44.05
13078	Badlands Occupational	\$ 42.00
13079	Balco Uniforms	\$ 836.84
13080	Big Boy Toys	\$ 196.00
13081	Charlies Services	\$ 716.00
13082	City of Arnegard	\$ 143.00
13083	City of Watford City	\$ 277.40
13084	Dash Medical Gloves	\$ 63.90
13085	Furuseth Law Firm	\$ 1,649.75
13086	Galls, LLC	\$ 152.94

Check #:	Payee:	Amount:
13087	Heggen Nelson Engineering	\$ 8,450.00
13088	information Technology Department	\$ 13.30
13089	Intergraph Corporation SGI Division	\$ 1,384.00
13090	Juelie Bancroft	\$ 179.20
13091	Law Enforcement Systems, Inc	\$ 386.76
13092	McKenzie County Farmer	\$ 349.32
13093	Meuchel Computer Services	\$ 271.81
13094	MFOA	\$ 30.00
13095	Municipal Judges' Association	\$ 25.00
13096	ND League of Cities	\$ 60.00
13097	NDACo Resources Group	\$ 1,747.21
13098	OK Implement Company - NAPA	\$ 124.87
13099	Rink Construction	\$ 2,113.00
13100	The Attic	\$ 769.00
13101	Watford City Express Laundry Service	\$ 29.15
13102	Woodrock	\$ 337.54
	TOTAL	\$ 38,218.21

New Business:

Attorney Joshua Feneis addressed the City Council in regards to the PDQ's liquor license; as well as building permit issues. When asked what Mr. Feneis wanted from the City Council, Mr. Feneis stated that he wanted the City Council to go on record as to what the issues were. Mr. Feneis was informed by Mayor Kindel that all of the issues that he is questioning are already a part of the public record and that there was a review letter of the building permit applications that was mailed to his client. Mayor Kindel also informed Mr. Feneis that if he had any further questions in regards to the information requested by the City and contracted City Planner, they would need to contact Heggen Nelson Engineering to get further clarification.

Mr. Feneis stated that it was his understanding that former Mayor Virginia Elliot authorized this work to be done. City Attorney Evert states that he does not believe that the Mayor has the authority to authorize such a project without City Council approval.

Leonard Fulford then spoke on behalf of the PDQ Club Inc., as the contractor that did the work that is in question. Mr. Fulford stated that City contracted Building Inspector Steve Williams signed off on the work that was done.

City Council Member Lane stated that if City contracted Inspector Steve Williams provided inspections for the work that was done to please provide said documentation.

Former Mayor Virginia Elliot stated that the inspections were done as she is the one that called to have the inspection performed.

Mayor Kindel addressed the representatives of the PDQ Club, Inc. on the actual issues that are already part of public record and stated that the City Council will be moving on from this matter.

Joshua Moody addressed the City Council in regards to his issue with damage that was done to his fifth wheel that is in the City on a Conditional Use Permit (CPU). He asked the City Council what he could, under the current Ordinance 26, replace the RV as it was totaled by the insurance company for the damage that it sustained in the hail storm from May, 2014. The City Council stated that they would take this matter under advisement and get back to Mr. Moody when they have an answer.

Margaret Hilbers addressed the City Council in regards to the home she recently purchased in Arnegard, from Big Mountain Homes; and the issues she is currently having in regards to her well and the water quality of such. Ms. Hilbers asked the City Council if the City could show where the sewer lines are located as she thinks that when the well was drilled they may have hit a sewer line which would be a reason she has bacteria in her drinking water. Ms. Hilbers stated that the water had been tested twice previously, with approved results, but then tested a third time recently and the water is showing different issues and bacteria. She claims that Big Mountain Homes is not doing anything to correct the issues other than offer to put in a filtration system but only pay \$3,000.00 towards said system.

Rob Williams from Big Mountain Homes stated that they want to correct the issue but that they need a figure to work with, which had yet to be provided by Ms. Hilbers. Mr. Williams also stated that he spoke with the well driller and the well driller confirmed that he cannot explain why this would happen but that it occasionally is an issue.

Ms. Hilbers just wanted the City Council to be aware of the situation and wanted it to be put on record.

Mayor Kindel presented Resolution No. 2015-04, a Resolution approving the wage increase for the Maintenance Worker. Motion made by Bjornstad, seconded by Lane, to approve Resolution No. 2015-04, as presented. Roll call: Bjornstad – Yes; Lane – Yes; Brunson – Yes; Homiston – Yes. Motion carried.

Mayor Kindel presented Resolution No. 2015-05, a Resolution approving the City Auditor to attend a NDLC Conference. Motion made by Lane, seconded by Bjornstad, to approve Resolution No. 2015-05, as presented. Roll call: Lane – Yes; Bjornstad – Yes; Brunson – Yes; Homiston – Yes. Motion carried.

Mayor Kindel presented Resolution No. 2015-06, a Resolution approving the amended proposal from NRG for IT services. Motion made by Bjornstad, seconded by Brunson, to approve Resolution No. 2015-06, as presented. Roll call: Bjornstad – Yes; Brunson – Yes; Homiston – Yes; Lane – Yes. Motion carried.

Mayor Kindel presented Resolution No. 2015-07, a Resolution authorizing payment of janitorial services. Motion made by Bjornstad, seconded by Homiston, to approve Resolution No. 2015-07, as presented. Roll call: Bjornstad – Yes; Homiston – Yes; Lane – Yes; Brunson – Yes. Motion carried.

Mayor Kindel presented Resolution No. 2015-08, a Resolution approving the City of Arnegard Wage Report for 2014. Motion made by Brunson, seconded by Lane, to approve Resolution No. 2015-08, as presented. Roll call: Brunson – Yes; Lane – Yes; Bjornstad – Yes; Homiston – Yes. Motion carried.

GROSS WAGES - 2014	
Juelie M. Bancroft	\$17,928.82
Kimberly K. Bishop	\$892.50
Bryan Bjornstad	\$1,325.00
Mark Blanchard	\$21,272.84
Patrick Brunson	\$475.00
Samantha S. Durham	\$6,202.75
Daniel Dwyer	\$50.00
Virginia Elliot	\$2,050.00
Darlene F. Faulkner	\$207.50
Larry Faulkner	\$1,625.48
Del. L. Haight	\$7,590.50
Nancy J. Haight	\$25.00
Sherrie Handy-Permenter	\$125.00
William J. Hanson	\$775.00
Tim Homiston	\$1,275.00
Christian A. Jones	\$3,608.56
Nina C. Jore	\$1,252.50
Ronald G. Jore	\$34,229.67
Jeffrey Kindel	\$2,500.00
Sharon R. Lane	\$575.00
Shirlene LeFlore	\$460.35
Lyle Leseith	\$820.00
Joshua Moody	\$50.00
Michael P. Murphy	\$17,984.80
April G. Obenour	\$125.00
Marlon Williamson	\$125.00
TOTAL	\$123,551.27

Mayor Kindel presented Resolution No. 2015-09, a Resolution approving the proposal for web design services and monthly maintenance agreement. Motion made by Bjornstad, seconded by Homiston, to approve Resolution No. 2015-09, contingent on the City having administrative rights, as amended. Roll call: Bjornstad – Yes; Homiston – Yes; Brunson – Yes; Lane – Yes. Motion carried.

Mayor Kindel presented Resolution No. 2015-10, a Resolution approving the Health Insurance from BCBSND. Motion made by Bjornstad, seconded by Lane, to approve Resolution No. 2015-10, as presented. Roll call: Bjornstad – Yes; Lane – Yes; Brunson – Yes; Homiston – Yes. Motion carried.

Mayor Kindel presented Resolution No. 2015-11, a Resolution approving the Vision Insurance through Avesis. Motion made by Bjornstad, seconded by Homiston, to approve Resolution No. 2015-11, as presented. Roll call: Bjornstad – Yes; Homiston – Yes; Brunson – Yes; Lane – Yes. Motion carried.

Mayor Kindel presented Resolution No. 2015-12, a Resolution approving the Dental Insurance through Ameritas and authorizing the ACH payment of such. Motion made by Bjornstad, seconded by Brunson, to approve Resolution No. 2015-12, as presented. Roll call: Bjornstad – Yes; Brunson – Yes; Homiston – Yes; Lane – Yes. Motion carried.

Mayor Kindel presented Ordinance 120, an Ordinance amending ‘Chapter 16’ of the Ordinances of the City of Arnegard, relating to ‘Personnel Policies’. Motion made by Bjornstad, seconded by Homiston, to table the Second reading of Ordinance 120, pending further information. Roll call: Bjornstad – Yes; Homiston – Yes; Lane – Yes; Brunson – Yes. Motion carried.

Mayor Kindel presented Ordinance 121, an Ordinance amending ‘Ordinance 16A’ of the Ordinances of the City of Arnegard, relating to ‘Sewer’. Motion made by Bjornstad, seconded by Brunson, to approve the first reading of Ordinance 121, as presented. Roll call: Bjornstad – Yes; Brunson – Yes; Homiston – Yes; Lane – Yes. Motion carried.

Mayor Kindel presented Ordinance 122, an Ordinance amending ‘Chapter 10’ of the Ordinances of the City of Arnegard, relating to ‘Public Health, Safety and Welfare’. Motion made by Bjornstad, seconded by Lane, to approve the first reading of Ordinance 122, as presented. Roll call: Bjornstad – Yes; Lane – Yes; Homiston – Yes; Brunson – Yes. Motion carried.

Discussion was held on the proposed zoning map as recommended by the Arnegard Planning and Zoning Commission.

Old Business:

City Council Member Brunson updated the Council on the meeting with the landowners of the possible locations of the new lagoons. The City and the landowners are close to reaching an agreement and more meetings will follow to finalize the agreement.

Sherry Lervick updated the Council on the multi-purpose building and schematic designs. Mrs. Lervick asked the Council for a budget to publish an ad to obtain design service bids for schematic designs. Some discussion was held regarding the multi-purpose building and budget for schematics. Motion made by Lane, seconded by Brunson, to publish and advertise for schematic design work with a budget of \$1,000.00. Roll call: Lane – Yes; Brunson – Yes; Homiston – Yes; Bjornstad – Yes. Motion carried.

Mayor Kindel gave verbal report.

Council Member Brunson gave Council an update on the meeting with WAWSA and MCRWD.

Council Member Bjornstad is working on modifications of Ordinances.

City Engineers provided a written report.

Officer White Owl gave a verbal report. Updated the City Council on the progress that has been made with getting the department up and running properly as well as an update on the closing out of Grant 3003.

Maintenance Worker Haight gave a verbal report. Discussion was held on the flooding issue at Main Street and Second Avenue.

Motion made by Lane, seconded by Brunson, to adjourn said meeting. Roll call: Ayes: 4 Nays: 0. Motion carried.

The next meeting of the Arnegard City Council is scheduled for March 9, 2015, at 7:00 p.m., to be held at the Arnegard City Hall.

Jeffrey Kindel, Mayor

ATTEST:

Juelie M. Bancroft, City Auditor

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Public to Speak: None

Motion made by Bjornstad, seconded by Lane, to approve the agenda, as amended. Motion carried.

Motion made by Bjornstad, seconded by Brunson, to approve the meeting minutes of January 12, 2015, as presented. Roll call: Ayes: 4 Nays: 0. Motion carried.

Motion was made by Homiston, seconded by Bjornstad, to approve the January, 2015 Financial Reports and pay the monthly bills, as presented. Roll call: Ayes: 4 Nays: 0. Motion carried.

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Motion made by Lane, seconded by Bjornstad, to approve Resolution No. 2015-05, pertaining to NDLC Conference attendance, as presented. Roll call: Lane – Yes; Bjornstad – Yes; Brunson – Yes; Homiston – Yes. Motion carried.

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Motion made by Bjornstad, seconded by Homiston, to approve Resolution No. 2015-07, pertaining to janitorial services, as presented. Roll call: Bjornstad – Yes; Homiston – Yes; Lane – Yes; Brunson – Yes. Motion carried.

Motion made by Brunson, seconded by Lane, to approve Resolution No. 2015-08, pertaining to yearly wage report, as presented. Roll call: Brunson – Yes; Lane – Yes; Bjornstad – Yes; Homiston – Yes. Motion carried.

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Motion made by Bjornstad, seconded by Lane, to approve Resolution No. 2015-10, pertaining to health insurance, as presented. Roll call: Bjornstad – Yes; Lane – Yes; Brunson – Yes; Homiston – Yes. Motion carried.

Motion made by Bjornstad, seconded by Homiston, to approve Resolution No. 2015-11, pertaining to vision insurance, as presented. Roll call: Bjornstad – Yes; Homiston – Yes; Brunson – Yes; Lane – Yes. Motion carried.

Motion made by Bjornstad, seconded by Brunson, to approve Resolution No. 2015-12, pertaining to dental insurance, as presented. Roll call: Bjornstad – Yes; Brunson – Yes; Homiston – Yes; Lane – Yes. Motion carried.

Motion made by Bjornstad, seconded by Homiston, to table the Second reading of Ordinance 120, pertaining to Personnel Policies, pending further information. Roll call: Bjornstad – Yes; Homiston – Yes; Lane – Yes; Brunson – Yes. Motion carried.

Motion made by Bjornstad, seconded by Brunson, to approve the first reading of Ordinance 121, pertaining to Sewer, as presented. Roll call: Bjornstad – Yes; Brunson – Yes; Homiston – Yes; Lane – Yes. Motion carried.

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Motion made by Lane, seconded by Brunson, to publish and advertise for schematic design work with a budget of \$1000.00. Roll call: Lane – Yes; Brunson – Yes; Homiston – Yes; Bjornstad – Yes. Motion carried.

Motion made by Lane, seconded by Brunson, to adjourn said meeting. Roll call: Ayes: 4 Nays: 0. Motion carried.

Jeffrey Kindel, Mayor

ATTEST:

Juelie M. Bancroft, City Auditor