

July 1st, 2024  
City of Gladstone  
City Council Meeting Minutes  
Gladstone City Hall  
6:00pm – 7:41pm

Present: Randy Wyatt, Niki Larson, Bill O'Connor, and Paul Reinbold; Darrell Sadowsky was absent.

Also present: City Auditor Maria Kolling, City Attorney Christina Wenko, City Engineer James Kiedrowski, and City Inspector Mel Zent.

Mayor Randy Wyatt called the meeting to order at 6:00pm.

The Council reviewed the June Council Meeting Minutes.

**Motion to approve the Minutes made by Bill, seconded by Paul, and carried unanimously.**

The Council reviewed the June bills.

**Motion to approve the bills was made by Bill, seconded by Paul, and carried unanimously.**

## **Public Meeting:**

Final Passage of the Cable Communications Regulatory Ordinance (Ordinance #2024-03).

- Maria was emailed a recommended Franchise ordinance from Midco a couple weeks ago; Christina will review it and if it is similar to the one being approved, she feels comfortable using it in place of ours.

**Motion to approve the final passage of Ordinance #2024-03 with the understanding changes may be made if Midco's ordinance draft is similar to ours, was made by Bill, seconded by Paul, and carried unanimously.**

Second Reading of the proposed Ordinance (Ordinance #2024-04) to change Lots 9, 10, 17, and 18 of Block 22, which are in the south park, from R1 to Rec.

**Motion to approve the second reading of Ordinance #2024-04 was made by Bill, seconded by Paul, and carried unanimously.**

## **Sheriff Report:**

Sheriff Lee was in attendance; he reported 40 total calls for service from Gladstone in June and highlighted some of the reasons for the calls. Maria asked if we're able to direct animal nuisance complaints to them now, in which he advised our contract for service has not been finalized so we need to continue handling them as we do. He also requested we block off the entrance into the field south of the Fire Hall to prevent people from parking there during the fireworks display; the council confirmed Tony will place traffic cones across the entrance.

## Attorney Report:

Condemnation of 140 Walnut Street.

- Christina advised the condemnation has been formally appealed by the Parkers.
- Their attorney relayed to Christina that he was advised they have registered their vehicles and taken care of the weeds. Christina requested Mel do a subsequent inspection with photos to verify, and his findings indicated no significant updates or improvements were made, other than the vehicles now being registered.
- A special meeting for the appeal will be set in which the Parkers and their attorney will need to present the council with the reasons why they aren't in agreement with Mel's report and disclose what they believe is accurate.

The Gladstone Senior Citizens' Easement.

- James received the survey for the legal description and will provide it to Christina to finalize the easement and send it to be recorded.
- Once the easement is in place, Al Heiser can be scheduled to pour the hard surfacing.

Resolution for the sale of City lots.

- Century code requires the City adopt a resolution to authorize the sale of lots, so Christina drafted Resolution 2024-03. The Council reviewed the Resolution, and Christina noted it states the City reserves the mineral rights.
- Kurt Martin asked if the lots can be auctioned after we get the top three bids; Christina said general statute says it goes to the highest bidder and she recommends the City do that than bid it a second time. Kurt also expressed concern with the City selling lots that won't be built on in the event of a special assessment, and asked if language could be included in the bid that the City limits the ability to oppose special assessments. Christina advised she didn't see that being legally necessary as there are too many variables that come into play; she also added it could be a catch 22 and turn people away.
- Lorraine Erdman asked if there will be a minimum bid required; Christina said no, but the City reserves the right to reject any and all bids.

**Motion to approve Resolution #2024-03 authorizing the sale of City lots was made by Niki, seconded by Paul, and carried unanimously.**

## Engineering Report:

The north park resurfacing project.

- James advised he received an update from Tabitha, and she's been doing a lot of good work. He said she found a designer from Minnesota who needs the base measurements to start, which James said KLJ can survey the area for the measurements.
- To be approved for grant money, we will need to get into compliance with ADA, as well as adjust one swing that is not the correct height.
- Tabitha was not able to obtain any information on the poured-in-place ingredients to determine if it's harmful or not. Niki stated she's finding it difficult to obtain a list of ingredients, as well. James recommended they ask for the MSDS sheets and report back next month.

## Maintenance Report:

Road repairs for 8<sup>th</sup> Ave and West Main.

- Bill and Tony confirmed Baranko Brothers started today.

Repairing broken and/or bent curb stops.

- No updates.

Televising and jetting the sewer lines.

- Tabitha contacted a company in Bismarck who said they'd be available to do the work and will send us a contract to look over.

A letter received from a traveler regarding the condition of our bathrooms.

- Maria received a note submitted through our website from a lady that was travelling through Gladstone on her way down the enchanted highway. She suggested we improve the condition of our park bathroom and offered to donate to the cause, knowing we are a small community with limited funds.
- Randy said we need to clean and paint the bathrooms.

Mowing BNSF's property.

- Randy asked who is responsible for mowing BNSF's property. Kurt Martin said the railroad has 100ft. on each side all the way through Gladstone; others commented it is more than 100ft. Randy said Brian Neurohr used to hay it, but he's not sure if anyone does now as he hasn't seen bales.
- Maria will contact Jones, Lang, & LaSalle to discuss the responsibility and a potential contract for the City to do it for a cost.

Jetting a plugged culvert at the north corner of 1<sup>st</sup> Avenue and Main Street.

- Randy requested the maintenance department use a pressure washer to clean it out. The nearest property owner stated it likely needs to be dug out with a Bobcat, which Tony has done in the past, and recommends it be done every couple of years.
- Randy stated that even though it is a county road, we maintain it. Kurt Martin recommended we help the county whenever we can as they do a great job with maintenance.
- Paul will speak with Tony and Maria will create a work order.

## Old Business:

Old City Hall (405 Cliff Street) project.

- The Council decided demolishing the building will no longer be considered as an option.
- Maria will request a quote from Kolling & Kolling to place steel paneling over the existing roof. She will also ask for a piece of Ice Guard to seal the hole in the meantime.

Water meter replacements.

- Maria advised that she received quotes from DSG and Core & Main despite not putting out a Request for Proposal yet and asked how they'd like her to proceed.
- The Council would like our Ferguson rep to attend a meeting to discuss the benefits of staying with the Neptune meters we currently have; Maria will invite Karen Olson with Ferguson to attend the next meeting.

Building permit applications.

- Layton Brawner submitted an application to put up a shed. The Council reviewed the application and determined a building permit won't be necessary as the minimum square footage requirement in our new zoning book will change from 120 sq/ft to 200 sq/ft to match building code.

**Motion to waive the building permit requirement and fees was made by Paul, seconded by Niki, and carried unanimously.**

- Jason Homiston submitted an application to construct a house on his property which is on the north side of the river. Jason's application included drawings and flood plain maps. He worked with Mel and James prior to submitting it so all concerns have been addressed; Mel has already prepared a building permit to provide to Jason if the council approves the application. Mel mentioned that Al Heiser has arranged for BNG Excavation to replace the culvert to the south of city hall and construct a berm to divert the water drainage, which was one of the concerns. Another concern was a septic tank in the flood plain in which he advised a drain field and lift station will be used. A ditch will also be dug to address the spring water. Mel recommended Jason modify his garage floor plan, due to the garage being in the flood plain, to move the walk-in door to the southeast corner so water can flow through the building if needed.

**Motion to approve Jason Homiston's building permit application was made by Paul, seconded by Bill, and carried unanimously.**

## **New Business:**

Preliminary budget meeting date.

- The meeting date has been changed to Monday, July 22<sup>nd</sup> at 6pm.

Vendor approval for the fireworks, Corndog Company.

- Maria was contacted by the Firefighters asking if the City would allow the Corndog Company to park at the north park during the fireworks display. Maria advised the City's only concern would be approval from The Pub, which they stated they had already spoken to Tasha, and she had no issues with it. Maria also requested they provide her with verification that they are licensed to operate and do business, which they did.
- Randy advised that the Corndog Company operates out of a self-contained unit and requires no electricity or water, so the City just needs to approve them to be parked on city property.

**Motion to approve the Corndog Company to park at the north park during the fireworks display was made by Bill, seconded by Paul, and carried unanimously.**

Kendall Booke's concern with potential damage to his property from a tree in the street right-of-way.

- Randy asked the Council and Christina to determine who is responsible for trees in the right-of-way, as a citizen has one that is overhanging his property and is concerned it will fall and damage it.
- Christina said if no one objects to having it taken down, then we should take it down.
- Randy said he spoke with Affordable Tree Service about either trimming it or taking it down and is waiting for estimates.
- Randy and the property owner discussed splitting the cost 50/50. Maria confirmed we were charged \$3,200 by Affordable Tree Service last year when they took down two trees at the south park.

**Motion to approve the City covering 50% of the cost to remove or trim the tree, authorizing a maximum expenditure of \$2,500, and the Mayor will communicate with the property owner to pay half, was made by Paul, seconded by Bill, and carried unanimously.**

Maria asked the Council how the City would like to move forward with an outstanding bill of \$754.35 from unpaid water/utility bills at 128 Cottage Street. The property was auctioned prior to being foreclosed on, so the specials weren't included in the sale. She said she spoke with Natalie Wandler who advised there's no way for the County to get it now. Christina recommends it be written off.

**Motion to remove the overdue balance of \$754.35 from the balance sheet due to having no other choice was made by Bill, seconded by Niki, and carried by an all-aye vote.**

**Motion to adjourn was made by Paul at 7:49pm, seconded by Bill, and carried unanimously.**

End of June Account Balances:

June Payroll:

General Checking:	\$ 360,01.64	Tabitha:	\$ 885.00
Park Checking:	\$ 50,347.49	Jamie:	\$ 140.00
CD #0832:	\$ 50,298.18	Tony:	\$ 1,977.19
CD #9423:	\$ 100,000.00	Maria:	\$ 4,214.00
ARPA Funds:	\$ 24,091.88	Wendy:	\$ 1,222.26
		Total Payroll:	\$ 8,438.45

June Bills Approved:

A-1 Sanitation	\$270.00	Nort park cleaning and disposal
CHS	\$234.85	Gas/fuel
Column	\$656.64	May Minutes, BOE Minutes ,rezone and franchise notices
Gooseneck	\$353.47	JD mower parts
Gooseneck	\$100.00	Pulley
Mackoff	\$1,481.00	June service
MDU City Hall	\$194.13	May service
MDU North Park	\$60.11	May service
MDU Old City Hall	\$78.42	May service
MDU Skating Rink	\$9.42	May service
MDU Street Lights	\$797.88	May service
MDU Water Tank	\$133.50	May service
MDU Well Pump	\$150.51	May service
MDU X-mas Lights	\$0.00	May service
MDU Yellow Shop	\$74.74	May service
MGM	\$4,810.72	June service
Midco	\$169.21	May service
ND League of Cities	\$497.00	City dues 2024-2025
NDRW	\$50.00	GIS Mapping
One Call	\$6.00	May tickets; 4 @ \$1.50
One Call	\$7.50	March tickets; 5 @ \$1.50
One Call	\$13.50	June tickets; 9 tickets @ \$1.50
Runnings	\$178.87	Flowers
SW District Health	\$75.00	April, May, and June testing
SW Grain	103.60	Fuel
SW Water	\$6,098.35	1,038,900g; billed out 523,590g. 50% loss
Visa - Maria	\$501.09	NDRW membership, stamps, ebills, Council table chair
Visa - Tony	\$521.76	Bobcat mower parts

--- Meeting Minutes Approvals ---

Maria Kolling, Auditor

Date

Randy Wyatt, Mayor

Date