

January 9th, 2023
City of Gladstone
City Council Meeting Minutes
6pm – 8:45pm

Present: Randy Wyatt, Mark Erdman, Bill O'Connor, Darrell Sadowsky, and Paul Reinbold.

Also Present: City Auditor Maria Kolling, City Attorney Christina Wenko, City Inspector Mel Zent, and City Engineer Jeremy Wood.

Mayor Randy Wyatt called the meeting to order.

The Council reviewed the December Meeting Minutes.

Motion to approve the December Minutes was made by Paul, seconded by Darrell, and carried by an all-aye vote.

The Council reviewed the December bills.

Motion to approve the bills was made by Paul, seconded by Darrell, and carried by an all-aye vote.

Public Meeting:

A Public Hearing was held for the second reading of the dog breed ordinance.

- Christina discussed the changes she made which were requested at the first reading.
- Mark asked how the penalty phase will begin; Christina suggested to report first to the Auditor who can then schedule Mel to inspect, or, if it's more serious, such as someone being bitten or hurt, the Sheriff needs to be involved.
- Mark asked what Mel will be verifying during his inspections; Mel confirmed it will be all requirements noted in the ordinance.
- Christina will be adding verbiage that states: prior to issuance, the applicant must allow the City or it's designee to inspect.

Motion to approve the dog breed ordinance as outlined in the second reading, including the changes discussed, was made by Darrell, seconded by Bill, and carried by an all-aye vote.

A Public Hearing was held for the second reading of the chicken ordinance.

- Christina discussed the change she made which was adding verbiage allowing the City to assess subsequent inspection fees if necessary, but not requiring it to be assessed each year.
- Christina advised some renumbering will be needed, so it should be passed allowing her to do so.

Motion to approve the chicken ordinance as outlined in the second reading, including renumbering as deemed necessary by Christina, was made by Paul, seconded by Mark, and carried by an all-aye vote.

The Annual Rate Adjustment Resolution was reviewed by the Council.

Motion to accept the Resolution was made by Bill, seconded by Paul, and carried by an all-aye vote.

Sheriff Report:

Deputy Kaylor attended the meeting and said they received a report of snowmobiles going 80mph in town right before the meeting. The Council said they haven't heard any complaints.

Maintenance Report:

The Council discussed purchasing a snow blower attachment for the Bobcat; however, they agreed to purchase the 7ft. box plow instead.

The Gladstone sign design created for us by Quality Quick Print was discussed.

- The Council asked Maria to get a quote with size options to review at the February meeting.
- Mark said he is ready to start redoing the old sign he took down. He is going to contact BNSF to see if we can put it back up when it's finished. He also suggested the Senior Citizens take over sign maintenance.
- Randy suggested tabling further discussion until we have more information next month.

Mark commended Tony for doing an excellent job moving snow.

A Gladstone resident stopped by the Hall during the meeting to express his appreciation for how well the city's maintenance team did with snow removal and keeping the roads nice.

Attorney Report:

Christina feels the quickest and easiest way for us to enforce our Ordinances is to set up an agreement allowing us to file in District Court using our municipal code sections. She advised we started this process awhile back but it was not authorized by the County Commission. Another option is to continue working with Stark County to enforce our ordinances; however, their case load is large and the costs could be very high.

Christina was approached by Stark County regarding the Sorensen's criminal case with the number of animals they had. She was informed that over the course of the criminal case, over 80 animals were seized, resulting in costs over \$17K. The Sorensens surrendered the animals to avoid a nuisance action being filed against them; however, Stark County was left with a massive bill. She stated that if this problem should present itself in the future, the City has an obligation to assist Stark County.

Engineering Report:

The River/Cottage alleyway culvert installation will be discussed more as we get closer to spring.

Old Business:

Maria is going to start getting quotes for permanent repairs to be made at the old City Hall building. Tony will temp fix it when he has the lift for taking down the Christmas decorations.

The Senior Citizens Project was discussed.

- Lorraine Erdman spoke on behalf of the Senior Citizens. She submitted the requested paperwork for the Council to review, which included the Pro-Lab mold report, a parking lot drawing, and documents confirming their business license is back in compliance.
- Randy asked if the mold testing was completed by a third-party; Mark advised they attained the samples themselves per instructions given to them by Pro-Lab. Randy asked if the Council wanted to accept the testing method they used as it wasn't truly third-party testing as requested. Mel confirmed he's used Pro-Lab in the past and that type of testing meets his standards. Mel said his only concern would be with the crawl space not being tested because it's a wood floor and when the water froze it flooded the crawl space. Mark advised the crawl space is well-ventilated and the flooding was minimal. Mel said, in his experience, mold won't take off that fast, especially in a well-ventilated area. The Council agreed to accept the testing and the mold issue has now been resolved.

- Mel discussed his ADA compliance review of the exterior. He noted the ramp is in compliance for slope but the top rail needs to be replaced and a bottom rail needs to be added on the ramp and the landing. Mel also noted a clear wall distance of 18" is required but only 15" is available due to the windbreak, so modifications will be needed there, as well. And, the tool shed will have to come out as ADA requires 60" of clearing and it's currently measured at 39".
- Mel discussed his ADA compliance review of the interior and said everything is in compliance except the bathroom doorknob needs to be changed to a lever.
- Mel discussed his ADA compliance review of the parking lot. He advised when the max occupancy is above 25, ADA requires two handicap parking stalls with an access isle in-between that continues to the ramp. Mel confirmed a hard surface is also required which can be concrete or asphalt.
- The Council discussed approving a variance or easement to grant the Seniors access to the city-owned property in order to meet parking requirements. The property is a dead-end road which is an extension of 3rd avenue.
- Christina suggests doing a variance or easement which will include indemnity language and be structured to say it's applicable to the use and related to the Senior Citizens, so if ownership changes, it changes.
- Randy asked about parking lot material requirements beyond the two handicapped spaces; Mel confirmed our City Ordinance requires it to be either concrete or asphalt.
- Mel pointed out their plan indicates a gravel driveway which will need to be changed to asphalt or concrete. Mel also confirmed the drive-thru surface will need to be asphalt or concrete as it's coming off the right-a-way.
- Christina will write-up a variance draft to present to the Council at the February meeting. The draft will include terms and conditions requiring compliance on all issues.

Motion to authorize Christina to prepare a document outlining the terms and conditions of variance for three parking lots on the west side of the Senior Citizens building was made by Bill, seconded by Darrell, and carried by an all-aye vote.

The Bookkeeper salary was discussed.

- Paul advised the Council of Jordan's requested range being \$600-\$700 per month.
- Randy suggested going with \$700 per month; Darrell agreed.
- Mark suggested \$650 to be in the middle of the range.
- The Council said we have a good setup now with having an Auditor and Bookkeeper as it adds an additional checks-and-balances system.
- Mark asked how many hours per month would be required with the new rate; the Council advised it's a salary specific to the job itself and not the hours.

Motion to approve \$700 per month as the Bookkeeper salary was made by Darrell, seconded by Bill, and carried by an all-aye vote.

Lorraine Erdman asked if the City will need to bond both the Auditor and the Bookkeeper; Christina said only the Auditor.

The Council reviewed the City Fee Schedule.

- Randy asked Mel to determine what his fee would be to inspect chicken coops and dog fences per the ordinance requirements. Mel said his minimum rate will be charged, which is \$125/hour. He anticipates each inspection to take 1.5 hours and it will be charged at the time of application, and again if subsequent visits are required.

Motion to accept the Fee Schedule as-is with Mel's fee added for coop and fence inspections was made by Bill, seconded by Darrell; Bill, Darrell, and Paul voted aye, Mark voted nay.

The new safety manual discussion and review will be tabled until February.

New Business:

Paying off the Street Repair Loan was discussed.

- Maria reminded the Council \$90,000 was budgeted to pay it off and the current balance is around \$78,000.

Motion to approve paying off the loan was made by Bill, seconded by Darrell; Bill, Darrell, and Paul voted aye, Mark voted nay.

Depository Account Motion

- Maria advised the Council needs to approve the City's depository account which is currently Dakota Community Bank.

Motion to approve maintaining Dakota Community Bank as the City's depository account was made by Darrell, seconded by Bill, and carried by an all-aye vote.

Randy opened-up discussion for assigning Council roles.

- Paul agreed to continue with Maintenance; Mark confirmed he'll stay as Zoning; Darrell will take on Public Relations, Parks, Fire, and Safety; Bill will have Vacant Lots and Buildings.
- Randy made the nominations and the Council accepted.

The Council discussed our delinquency notice schedule.

- Maria confirmed delinquency notices are currently sent after three consecutive months of no payment, which isn't inline with the City's Water Notification and Cancellation Policy. The policy states that the first notice will be sent once the account is 30 days past due, a shut-off notice will be sent if payment isn't received in 45 days, and the water service will be canceled if payment is not received in 60 days.
- The Council agreed to send notices on schedule which will help prevent accounts from incurring high past-due amounts by notifying the residents sooner.

Motion to send delinquent account notices as outlined in our Water Notification and Cancellation Policy was made by Darrell, seconded by Mark, and carried by an all-aye vote.

A wage increase for Chris Glass was discussed.

- Chris has been working at the City since 2019 and is making \$18 per hour; we don't have record of him receiving a wage increase yet.

Motion to approve increasing Chris Glass' hourly rate to \$20 was made by Bill, seconded by Darrell, and carried by an all-aye vote.

Purchasing a 7ft box plow for \$3,000 was discussed.

- The Council agreed it'd be a good purchase as they work well and require little maintenance.

Motion to approve purchasing the 7ft. box plow for \$3,000 was made by Darrell, seconded by Bill; Bill, Darrell, and Paul voted aye, Mark voted nay.

Stark County offered the City to purchase back one delinquent parcel they took back in 2022.

- The parcel includes two lots located on the north end of town with no utilities.
- The purchase price is \$25 with a recording fee of \$20.

Motion to purchase the lots from Stark County for \$45 was made by Darrell, seconded by Bill, and carried by an all-aye vote.

The Council discussed getting Tony a credit card.

- Tony currently has an account card with CHS for fuel, but the card reader sometimes has issues, which then requires Tony to pay out of pocket and be reimbursed. Having a credit card would eliminate him having to

pay out of pocket. In addition, a credit card would allow him to fill fuel in Dickinson if necessary, as well as, purchase misc. items as-needed without having to pay out of pocket.

- The Council agreed Tony should have a credit card. Maria will look into options and follow-through with getting him one.

Darrell advised Consolidated approached him with potentially putting up an insulated enclosure at the North Park to house a generator.

- They'd like to know what the City will require from them in advance. They were suppose to provide Darrell with more details prior to the meeting but didn't, so the Council will discuss next month.
- Mel advised they typically come built on a skid with a floor and measure around 10' x 16'.

The Council discussed whether garbage service is optional per the City Ordinance.

- Maria said we are currently allowing residents to opt out if they won't be living at the residence or if they specifically request the container be removed due to them having other means to dispose of their trash.
- The Council agreed and confirmed it's a shared cost that is tied in with the water service so residents are not allowed to opt out.

Motion to adjourn was made by Darrell, seconded by Bill, and carried by an all-aye vote.

Mel advised the Council that the City will be receiving a letter from him notifying us that the costs he incurs to maintain his inspection service will be broken down and assessed to the five cities he contracts with.

January 31st Account Balances

General Checking: \$291,709.82
 Park Checking: \$53,137.68
 CD #0832: \$50,552.16
 CD #9423: \$100,240.00
 ARPA Funds: \$47,539.61

January Payroll

Chris \$357.00
 Jordan \$700.00
 Maria \$3,425.00
 Tony \$1,917.30

December Bills Approved

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|------------|------------|--------------------------------------|
| BND | \$2,000.00 | |
| Bravera | \$50.00 | Surety bond |
| Brian Kopp | \$351.56 | Computer set-up |
| CHS | \$244.64 | |
| Ferguson | \$3,000.00 | Neptune 360 |
| Forum | \$5.39 | Public Hearing |
| Forum | \$6.93 | Public Hearing |
| Forum | \$348.04 | Nov. Minutes |
| Mackoff | \$1,435.40 | |
| MDU | \$2,500.86 | |
| MGM | \$3,976.00 | |
| Midco | \$262.44 | |
| ND Att Gen | \$340.49 | Gaming grant |
| One Call | \$1.30 | |
| SW Water | \$4,608.55 | |
| Tony | \$373.73 | Reimbursement |
| Visa | \$936.67 | Printer, tablet, sleds, paper, misc. |
| WPI | \$31.32 | |