

November 4th, 2024
City of Gladstone
City Council Meeting Minutes
Gladstone City Hall
6:00pm – 8:11pm

Present: Darrell Sadowsky, Niki Larson, and Bill O'Connor.

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

A citizen in attendance stated her concern with this meeting being unlawful due to verbal Oaths of Office not being given by Bill or Niki. Christina confirmed a signed Oath of Office is required by Century Code, which Bill and Niki both signed when elected and filed with the City. Christina recommended the Council move forward with the meeting. The Council agreed and President Darrell Sadowsky called the meeting to order at 6:00pm.

The Council reviewed the October 7th Council Meeting Minutes.

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

The Council reviewed the October 14th Special Meeting Minutes.

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

The Council reviewed the October 18th Special Meeting Minutes.

- A citizen in attendance expressed concern with Niki approving a wage increase for Timothy due to nepotism. Maria explained it was not technically a raise, but to approve him to be paid the maintenance starting wage now that he is doing maintenance work in addition to mowing. Christina suggested the approval be tabled until a full council is present, and for the maintenance pay rate to remain approved until decided otherwise.

Motion to table the approval of the October 18th Minutes until a full council is present was made by Bill, seconded by Darrell, and carried with Niki abstaining.

The Council reviewed the October Bills.

Motion to approve the bills made by Bill, seconded by Niki, and carried unanimously.

Public Meeting:

Mayor and councilmember vacancies.

- The City received one petition for a special election for the mayor vacancy which was deemed invalid by the State Attorney's Election Specialist due to not having signatures of the petition signers. Christina advised the Council they can now decide if they'd like to appoint one of them to fill the remainder of the mayor's term or call a special election. If they appoint from within, we will not have a quorum until the special election, therefore, the City cannot conduct business. It will also create another councilmember vacancy which will need to be added to the ballot.

- The City received two petitions for a special election for the councilmember vacancy which were both certified to be valid, so a special election will be called. Maria certified the signatures on October 24th and Century Code states the special election will need to be held between 95 days and 105 days from the date it was certified.
- Christina stated that if the Council chooses to have a special election for the mayor vacancy, the City will try to combine both special elections into one to save time and costs. She requested the meeting move forward while she runs the numbers to confirm if combining them would be feasible based on the Century Code timing requirements. The Council agreed and will continue the discussion once confirmed.

Nuisance timeframes and definitions per City Ordinance.

- Dan Rallens requested the Council define the timeframe in which loud noises would be considered a nuisance, as well as what qualifies noises to be “constant”.
- Citizens in attendance pointed out different sections in the City Ordinance other than the animal nuisance section that defines both things.

Oaths of Office for councilmembers.

- Maria asked the citizens in attendance what the City can do moving forward to satisfy their concern with Oaths not being verbally spoken. The Citizens stated they disagree with the interpretation of requirements to indicate only a signed Oath is necessary, but no suggestions for what they’d like to see moving forward were expressed.

Conditional use permit for a mobile home in R-1 zoning.

- Joni Peterson was in attendance to discuss a conditional use permit for placing a mobile home on lots she’s interested in purchasing (Lots 1, 2, and 3 of Block 17) which are zoned R-1.
- Maria reached out to Mel for comment in advance of the meeting as he was unable to attend, and he advised a conditional use permit could be approved if the mobile home is a double-wide and placed over a basement or crawl space.
- Joni brought estimates for the Council to review, but the Council requested to table the discussion until the December meeting when Mel is present.

Sheriff Report:

Sheriff Corey Lee was in attendance and provided an update on the stolen vehicles incident in early October.

A violent dog attack was reported to the Sheriff Dept. and the City. The owners of the dog that was attacked wrote a letter to the Council explaining their version of the incident which involved a Pit Bull running across the street and attacking their dog. One of the owners was also in attendance and expressed concern with a known vicious dog living in the city as it could attack children or adults walking down the street.

- The Council decided to take immediate action by having Maria send the pit bull owner a letter indicating he needs to be in compliance with the fencing ordinance within 10-days of receiving the letter or the City will seek to have the dog removed from city limits and a fee will be assessed per day until in compliance.
- Christina is going to look into whether the case can be prosecuted since it was reported to the Sheriff’s Dept.

Niki discussed an issue with Haley Winch's dog digging out under the fence and charging at neighbors, which concerns her due to Haley's dog attacking and injuring her dog a couple years ago when it was running free.

- Maria and Christina will work together to send her a letter stating she needs to get her fence in compliance so the dogs aren't able to dig out.

Attorney Report:

Condemnation Agreement.

- Christina has not heard back from Tye Turner yet, and since Mel is not in attendance, discussion on how to move forward will be tabled until December.

Engineering Report:

Park resurfacing project.

- James had the park surface area measured and mapped out and provided a copy to the Council to review.

Water line size issue.

- James said his office is in the process of creating a task order for this project.
- Maria spoke about the Stark County Small City grant opportunity. She spoke with the County Auditor about the application process and was advised we don't have to apply for the funds, we just have to submit a project that meets the criteria requirements as outlined in the information we received. Maria asked James if he could create a waterworks project that meets the criteria and includes all the City's waterworks infrastructure needs, such as replacing the undersized water lines and water meters, and James confirmed he will have the task order created to encompass the full project.

Maintenance Report:

Curb stop repair list.

- Maria said there's a file folder in the shop with work orders that were created for the five curb stops that are in the worst condition and needing to be repaired by BEK. Jim will gather more information on what repairs are needed, and if they only have surface damage, they can wait to be repaired during the waterworks project.

The landfill's gate lock.

- The council agreed to replace the existing padlock on the landfill gate with a new combination lock.

Water line inspection by Pipe Detectives.

- Maria said that Pipe Detectives was recommended to her as a company that could inspect our water lines to find any leaks that may be contributing to the water loss issue. She said she reached out for a cost estimate but hasn't heard back.

Steed water meter issue.

- Maria contacted Kevin who granted the City access to the water meter to be replaced. Jim found that the water meter is installed vertically rather than horizontally as required by specs, so he did not replace the meter. The meter register was replaced just to see if it would transmit any usage, but the issue is believed to be with the actual meter.
- The Council agreed the property owner will need to have the plumbing redone to allow for the meter to be installed properly and would like to have it completed within 30 days. Maria will advise Kevin.

City shop truck repairs.

- The shop pickup was brought to Chad's Automotive to resolve a clunking sound, as well as the ABS warning light in the dash staying off. We were quoted \$2,500 to make the recommended repairs which did not include the ABS dash light as it was confirmed to be an issue with the brake module, not the brakes, and a replacement used module would be an additional \$800 or more. The Council agreed to move forward with the recommended repairs, but not replacing the brake module. The repairs included in the quoted price include replacing the axle shafts because the boots are leaking, replacing the rear brakes, replacing the inner and outer tie rod ends, and crimping the intermediate arm in the steering column which was causing the clunking noise.

Motion to approve making the repairs for \$2,500 was made by Niki, seconded by Bill, and carried unanimously. Maria mentioned the \$2,500 being an estimate and the actual bill possibly being more; the Council agreed to make the repairs no matter the cost as they are necessary for the truck to operate properly and safely.

Lagoon liner condition.

- It was brought to Maria's attention that the bentonite liner in the south pond may be leaking and was known to be leaking many years ago. The Council was not aware of this and will ask around to get more information.

Old Business:

Old City Hall roof repairs.

- Maria spoke with Kolling & Kolling to follow up on a proposal for placing a steel roof over the existing roof; they said it will be sent over soon.

Accuracy testing of existing water meters.

- Maria stated she has determined which five meters will be swapped out to be sent in for testing. She is working together with Jim to coordinate with the citizens.

ND Rural Water rate study.

- Maria confirmed she completed the questionnaires and sent them to ND Rural Water to review.

New Business:

Utility Billing position.

- Christina recommends the Council post the position for public applications; the Council agreed. Maria will have the opening posted for two weeks and the Council can evaluate and determine who to hire at the December meeting.

Motion to post a job opening for the utility billing position was made by Bill, seconded by Niki, and carried unanimously.

Christmas Light Parade.

- The Council determined the Light Parade will be scheduled for Saturday, December 21st. Maria will get prizes together and start posting it on social media. Niki and Tabitha volunteered to help. Maria stated the City will need a trailer to decorate as we do not have a flat bed of our own; Darrell and a citizen in attendance both offered us theirs. Darrell will talk to the Firefighters about a possible donation towards the winning prizes.

Continued discussion regarding the special election.

- ND Century Code states the special election must be scheduled between 95-105 days after the date the petition was certified, but we didn't receive a valid petition to certify, so Christina needs to confirm with the State's Attorney which date we need use.
- If we use the date petitions were due, which was October 23rd, then both elections can be run together. The election date would be between January 11th and January 23rd. If we pick January 21st, then the 64-day deadline for ballot petitions would be November 18th.
- Christina will confirm things by the end of the week and update Maria. Maria will post the dates for the citizens to have and be available to answer any questions.

Motion to call a special election for the mayor vacancy was made by Niki, seconded by Bill, and carried unanimously.

Motion to adjourn was made by Bill at 8:11pm, seconded by Niki, and carried unanimously.

End of October Account Balances:

October Payroll:

General Account:	\$ 312,730.56	CD #0832:	\$ 52,060.34	Maria:	\$ 3,605.00	128.75 hours
- Prairie Dog Fund:	\$ 40,870.13	CD #9423:	\$ 105,414.79	Timothy:	\$ 908.00	47.75 hours
- Legacy Hwy Fund:	\$ 5,181.88			Jim:	\$ 929.00	49.75 hours
Park Account:	\$ 47,725.73			Total:	\$3,849.20	226.25 total hours
ARPA Account:	\$ 24,091.88					

October Bills:

A-1 Sanitation	\$270.00	Rental and cleanout
CHS	\$139.62	October fuel
Column	\$493.24	All Sept Minutes & Oct Special Meeting Notices
George's Tire	\$868.00	UTV Tires
Mackoff	\$1,986.24	October Services
Maria	\$25.00	Reimbursement for ebills; city cc shut down due to fraud
MDU City Hall	\$214.34	October gas & electric
MDU North Park	\$54.66	October electric
MDU Old City Hall	\$62.96	October gas & electric
MDU Skating Rink	\$8.78	October electric
MDU Street Lights	\$745.91	October electric
MDU Water Tank	\$82.34	October electric
MDU Well Pump	\$180.56	October electric
MDU X-mas Lights	\$0.00	October electric
MDU Yellow Shop	\$71.97	October gas & electric
MGM	\$4,220.41	October services
Midco	\$164.94	October service
Midwest Doors	\$6.00	Overhead doors weather stripping
ND Chemistry Lab	\$367.04	Stage 2 water testing
ND Rural Water	\$25.00	GIS Mapping, ESRI License
One Call	\$3.00	2 tickets @ \$1.50
Park Account	\$1,126.85	State Oil & Gas to Park Acct.
Riteway	\$272.39	1000 Postcards for utility bills
Runnings	\$153.11	battery charg. & cable, ext.cord, cable ends, floor dry, cemetery gate hardware
SW District Health	\$25.00	Oct water sample testing
SW Water	\$4,163.01	709,200g; 361,977 sold. 49% loss.
Visa	\$79.00	USPS Audit Report to State, email bills, O'reilley's starter solenoid for dump truck

---- Meeting Minutes Approvals ----

Auditor

Date

Mayor

Date