

City of Buxton
Special Meeting Minutes
October 17, 2018 @ 7:00 PM
Buxton Fire Hall

Present: Mayor Gene Rosholt, Jeff Siewert, Travis Hegg, Travis Soderberg, Cassie Tostenson, Steve Swanson
Recording: Jackie Siewert, Auditor

Meeting called to order by Mayor Gene Rosholt

Steve Swanson with AE2S presented the council with a city wide survey and sanitary sewer assessment agreement. He discussed how the survey will be done and should be completed in approximately 2 weeks weather permitting. A motion was made by Council Member Travis Soderberg to accept AE2S' city wide survey and sanitary sewer assessment agreement, the motion was seconded by Council Member Jeff Siewert upon a roll call vote. Ayes: Jeff Siewert, Travis Soderberg, Travis Hegg, Nays: None. Motion carried.

City Attorney Cassie Tostenson presented the proposed 2018 Revised Ordinances for the City of Buxton for the second reading. A motion was made by Council Member Travis Hegg to approve the enacting ordinances, the motion was seconded by Council Member Travis Soderberg upon a roll call vote. Ayes: Jeff Siewert, Travis Soderberg, Travis Hegg, Nays: None. Motion carried.

ENACTING ORDINANCE

ORDINANCE NO. 1

Adopting the Revised Ordinances of the City of Buxton, North Dakota, and repealing all ordinances previously adopted with certain exceptions.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BUXTON, NORTH DAKOTA:

Section 1. The City of Buxton Revised Ordinances of 2018. This ordinance and the ordinances hereby adopted shall be known and cited as the City of Buxton Revised Ordinances of 2018.

Section 2. ENACTMENT. The City of Buxton Revised Ordinances of 2018, consisting of Chapters I to XVII, both inclusive, an original copy of which has been authenticated by the original signatures of the City's chief executive officer and auditor and which original is on file in the office of the City Auditor, are hereby adopted as the Ordinances of the City of Buxton.

Section 3. REPEAL. All ordinances of the City adopted prior to the date of this enacting ordinance are hereby repealed except the following ordinance which shall continue in full force and effect regardless of the fact that they are herein omitted:

1. All existing ordinances granting franchises, if omitted from these revised ordinances.
2. All existing ordinances creating contract obligations on the part of the City, which obligations shall remain binding until fully performed by the City.
3. All existing ordinances establishing special improvement districts, or street grades.
4. All of the existing ordinances levying taxes for any years under the provisions of any law relating to the issuance of revenue bonds, municipal bonds, warrants, certificates of indebtedness, or other municipal obligations, whether general or special.
5. All salary and appropriation ordinances.
6. The incorporation herein of any of the ordinances of the City granting franchises shall not operate to repeal the same in their original form nor to extend the term of any franchise beyond that fixed in that ordinance granting the same which in reenacted herein.
7. Any and all other ordinances adopted in said City of Buxton Revised Ordinances of 2018 by reference, although the same are not set forth in full therein.
8. All existing ordinances establishing, extending or reducing the city limits of the City, if omitted from these revised ordinances.

Section 4. EXISTING LICENSES AND PERMITS. All licenses and permits issued prior to the date on which this ordinance becomes effective shall continue in force for the remainder of the term for which the

same were issued, without additional fees, but all licensees and permittees shall be governed by the provisions of the City of Buxton Revised Ordinances of 2018 for the remainder of the terms of said licenses and permits, in the same manner and to the same extent as if said licenses and permits had been issued under the provisions of the City of Buxton Revised Ordinances of 2018.

Section 5. NEW LICENSES AND PERMITS. In the case of any license or permit not heretofore required and appearing for the first time in the City of Buxton Revised Ordinances of 2018, such license or permit shall be secured on or before the first day of the first month following the effective date of this ordinance, and the first fee therefore shall be pro-rated for the remainder of that term thereof on a monthly basis, provided, that the minimum fee for any such new license or permit shall be \$1.00.

Section 6. INVALIDITY OF PART. If any section, subsection, sentence, clause or phrase of these ordinances is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause, phrase or portion thereof. The governing body hereby declares that it would have passed these ordinances and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases may be declared invalid or unconstitutional.

Section 7. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and approval, and without publication.

The November City Council meeting will be held Thursday, November 15, 2018 at 7:00 pm at the Buxton Fire Hall.

Travis Hegg motioned to adjourn, Travis Soderberg seconded; motion passed unanimous.

City Auditor

Council Member

Mayor