

City of Buxton
Meeting Minutes
October 13, 2021 @ 7:00 PM
Buxton Fire Hall

Present: Travis Soderberg, Holly Aamold, Ben Hershey, Keaton Flanagan, Jeff Siewert, Kyle Higgins, Mike Bibow, Tom Gerstenberg, Cole Short and Cassie Tostenson via telephone.

Recording: Jackie Siewert, Auditor

Meeting called to order by Mayor Travis Soderberg

Meeting minutes from the September 8, 2021 meeting were read. Motion to approve the minutes was made by Holly Aamold; seconded by Ben Hershey; motion passed unanimous.

The following bills were presented for payment:

Direct	US Treasury	\$976.14
Direct	Waste Management	\$3842.36
Direct	Xcel Energy	\$1007.33
Direct	Visa	\$802.76
12551	VOID	\$0.00
12552	AZR Road Blading	\$150.00
12553	East Central Regional Water Dist	\$200.45
12554	Farmers Union Oil	\$111.28
12555	Florian & Sons	\$205.00
12556	Full Insurance Agency	\$1747.00
12557	Jet-Way Multiple Services	\$1098.75
12558	Midco	\$38.10
12559	Nilson Brand Law	\$1075.00
12560	Office of the State Auditor	\$600.00
12561	Steve Larson	\$63.10
12562	Thomas Moe	\$150.00
12563	Traill County Tribune	\$1311.00
12664	Traill County Auditor	\$750.00
12565	Travis Soderberg	\$220.66
12566	Xcel Energy	\$43.92
12567	Ben Hershey	\$203.17
12568	Holly Aamold	\$203.17
12569	Jaqueline Siewert	\$1385.25
12570	Jeff Siewert	\$203.17
12571	Keaton Flanagan	\$203.17
12572	Travis Soderberg	\$923.50

Ben Hershey motioned to approve the bills, Holly Aamold seconded the motion; motion passed unanimous.

Jackie Siewert, city auditor, presented the council with the October year to date budget comparison. The council reviewed and discussed a few areas that have gone over budget such as advertising and office supplies. Jackie Siewert will also adjust the budget year to date total for the city mower to reflect the payment made by the Buxton Park Board.

Jackie Siewert advised the council that she had not received any written appeals for the confirmed special assessment list. Mayor Soderberg noted that there was no one present at the meeting with a written appeal.

. CITY OF BUXTON
STREET IMPROVEMENT DISTRICT 2019-1

The Council considered the questions of Approval of the assessment list for the Street Improvement District 2019-1 for the City of Buxton. It was moved by council member Keaton Flanagan and seconded by council member Holly Aamold that the assessment list as confirmed by the Special Assessment Commission of the City of Buxton, be and the same is hereby confirmed.

On a roll call vote the following voted aye: Keaton Flanagan, Jeff Siewert, Holly Aamold, Ben Hershey. The following were absent or did not vote: None. No one voted nay, so the motion carried, and the resolution was approved and confirmed.

Kyle Higgins told the council that he is in the process of obtaining a federal firearms license. To do so, Mr. Higgins needs to obtain permission from the city's mayor, Travis Soderberg and Sheriff Steve Hunt. He also needs to undergo a background check with the Bureau of Alcohol, Tobacco, Firearms and Explosives. This license would allow him to buy and sell firearms and ammunition out of his home. He would also be responsible for completing background

checks on his customers before any sale and prior to turning over any merchandise. Kyle also plans on offering a cleaning and repair service, although, it will be more of a hobby than a full-time business. Holly Aamold made a motion to approve Mayor Travis Soderberg signing Kyle Higgins Federal Firearms License application; Keaton Flanagan seconded the motion; motion passed unanimous.

Tom Gerstenberg, owner of Triple VVV Bar, approached the council in regards to the past due utility bill that is set to be placed on the taxes for the Triple VVV Bar. Mr. Gerstenberg stated that the bill was to have been paid by the previous owner. Jackie Siewert, city auditor, said that prior to the change of ownership no one reached out to her in regards to any unpaid balance. The council also explained to Mr. Gerstenberg that the unpaid quarterly bills follow the property and that his is responsible for any unpaid balance.

Mike Bibow, AE2S, stated that he took pictures of the culvert extension that was placed on the north end of Broadway. He will show the pictures to Border States Paving to see if there is anything that they can do with that area. Jackie Siewert, city auditor, said that an invoice for post warranty had been received and she inquired if AE2S would be submitting a payment request for payment. Mike Bibow said he will look into it.

Mike Bibow, AE2S, reviewed with the council the final State Revolving Fund payment request for the Water Drainage Improvement project. An actual final walk through has not yet been completed, although, the council is very happy with how the system is working. Additional grass seed has been placed in some areas. Some culverts still have some silt build up in them that may still need to be cleaned if the natural flow of water doesn't wash it away.

Nilson Brand Law drafted a revised littering ordinance to cover littering in town and also the landfill. It reads as follows:

AN ORDINANCE TO AMEND CHAPTER 3, ARTICLE 2 OF THE REVISED ORDINANCES OF
2018 OF THE CITY OF BUXTON BY REVISING THERETO ORDINANCE NO. 3.0206 and
ADDING 3.0206A and 3.0206B.

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

SECTION 1. REVISION. Ordinance No. 3.0206 to the Revised Ordinances of 2018 of the City of Buxton is hereby revised to read as follows:

CHAPTER THREE PUBLIC PLACES AND PROPERTY

ARTICLE 2-Use and Care of Streets, Sidewalks and Public Places

ORDINANCE 3.0206 Depositing Litter-Prohibited

It is unlawful for any person, firm or corporation, in person, or by an agent, employee or servant, to cast, throw, sweep, sift or deposit in any manner in or upon any public way street or alley, or upon any boulevard or grass berm within the city or any river, canal, public water, drain, sewer, or receiving basin within the jurisdiction of the city, any kind of dirt, rubbish, waste article, thing or substance whatsoever, whether liquid or solid. Nor shall any substance be placed upon any boulevard or grass berm within the city there to remain which shall injure or destroy the growth of the grass on such berm or grass boulevard.

It is unlawful for any person operating a motor vehicle within the City of Buxton to permit or allow any person riding within such motor vehicle to cast or throw any article from such vehicle in violation of the provisions or this article.

Provided, that this section shall not apply to the deposit of material under any authorization by any ordinance of the city; or to goods, wares or merchandise deposited upon any public way or public place temporarily, in the necessary course of trade, and removed therefrom within two (2) hours after being so deposited; or to articles or things deposited in or conducted into the city sewer system through lawful drains in accordance with the ordinances relating thereto; or to rubbish places for collection by the city sanitation department in conformity with the rules and regulations thereof and the ordinances applying thereto.

3.0206A City burn pile

It is unlawful for any person, firm or corporation, in person, or by an agent, employee or servant, to cast, throw, sweep, sift or deposit in any manner in or upon the city burn pile any item except brush cuttings, tree trimmings, branches, logs and similar yard waste material.

3.0206B Compost.

A person may compost grass or leaves collected on the property provided the composting site is operated in a safe and healthful manner and does not create a nuisance.

The city may designate collection points within the city and provide the necessary containers for yard wastes. No person shall deposit any solid waste in the city yard waste collection other than yard waste. Large volume producers of yard wastes shall dispose of yard wastes as directed by the City.

3.0206C Vehicles to be covered when hauling trash

It is unlawful for any person, firm or corporation, in person, or by an agent, employee or servant, to use any vehicle to haul any kind of dirt, rubbish, waste articles or things or substance, whether liquid or solid, unless such vehicle is covered to prevent any part of its load from spilling or dropping at all times while such vehicle is in motion on any street or alley in the city. Provided, however, that the requirements herein for covering such vehicle shall not apply to vehicles carrying brush cuttings, tree trimmings, branches, logs and similar waste material, if such matter is securely lashed to such vehicle to prevent spilling or dropping as aforesaid, nor do the requirements herein apply to vehicles carrying farm products only, vehicles spreading abrasive for ice control, vehicles hauling snow, vehicles hauling sludge, or vehicles operating in a loading or unloading mode.

Section 2. Penalty.

Any person violating the provisions of this section shall be guilty of an offense and be fined not less than twenty-five (\$25), nor more than one thousand dollars (\$1000), or by imprisonment not to exceed 30 days, or by both such fine and imprisonment, in the discretion of the court; the court to have power to suspend said sentence and to revoke the suspension thereof, pursuant to 3.0202.

Section 3. Effective Date.

This ordinance shall be in full force and effect from and after its passage, approval and publication.

Ben Hershey questioned the section of the ordinance in which it requires vehicles to be covered when hauling trash. He wondered if there would be some leeway. Mayor Travis Soderberg said that he hoped the city would use some common sense if those situations were to happen. Ben Hershey made a motion to accept the first reading of the revised littering ordinance; Jeff Siewert seconded. On roll call vote the following members voted aye: Jeff Siewert, Holly Aamold, Keaton Flanagan and Ben Hershey. The following members voted nay: None. The following members were absent and not voting: None. The majority having voted aye, the motion carried.

Mayor Travis Soderberg installed the 12 inch culvert extension for the culvert on the north end of Broadway.

Mayor Travis Soderberg ordered and received the new lagoon signs.

Mayor Travis Soderberg talked to John at Greenworks Landscaping & Fence. He is coming next week to talk to another resident and will meet with Mayor Travis Soderberg to look at the lagoon fence.

Mayor Travis Soderberg has done some tree trimming at the lagoon although there is more to be done that is hanging over the lagoon fence. Mayor Soderberg also pulled a tree from the lagoon. He stated that there are also some fence posts that need to be straightened and ponded down in the ground.

Mayor Travis Soderberg installed some decorative lights on the shrubs by the city signs. Mayor Soderberg also talked to All Seasons. They said that some of the plants thought to not have survived the heat and drought may come back in the spring. The flagpole lights have also been installed and light up the flags very well.

Mayor Travis Soderberg was going to install the "Slow Children at Play" signs on Greely Street. There are currently signs in place there but they are no longer reflective. Ben Hershey made a motion to purchase new "Children at Play" signs; Keaton Flanagan seconded the motion; motion passed unanimous.

Mayor Travis Soderberg has turned in the paperwork for the Traill County Economic Development Commission grant.

Mayor Travis Soderberg stated that he still needs to contact the Traill County Highway Department for sign replacement.

Jackie Siewert, city auditor, has set up a "City of Buxton" Facebook page. Both her and Mayor Travis Soderberg are set up as the administrators.

Jackie Siewert suggested to the council that an ad for snow removal bids should be published soon. Keaton Flanagan made a motion to publish an ad for snow removal; Jeff Siewert seconded the motion; motion passed unanimous.

Jackie Siewert also advised the council that she had been contacted by a representative of the ND Management and Budget, that the City of Buxton is eligible to receive \$54,240 from American Rescue Plan Act (ARPA) for city's funding to be used for eligible projects only. Although, there isn't a published list yet as to what projects are eligible. Jackie

Siewert spoke to a representative at the ND League of Cities that told her the city's most recent drainage project would not have qualified. Cities are being strongly encouraged to accept the eligible funding because they have until 2024 to decide on how to spend the money and projects wouldn't have to be completed until 2026. Mayor Travis Soderberg is hoping that perhaps an electronic informational sign for the city would be eligible. Jackie Siewert is going to reach out to other sources to get more information on what projects specifically the ARPA funds can be spent on.

Jackie Siewert, city auditor, was questioned by a resident in regards to the recycling process. Jackie reached out to Paul Kalibabky, Waste Management Representative, for a breakdown on how they process recycling. All recycling materials are hauled to Grand Forks facility where it is dumped and reloaded in 53 foot trailers to be transported by semi to their Twin Cities Material Recovery Facility. At this facility, all of the single sort recycling is processed.

Mayor Travis Soderberg had approved a building permit for Waslien Electric prior to the city council meeting. They will be expanding their existing building by approximately 12' x 20' for additional office space. Countryside Insurance, which leases office space from Waslie Electric, also reached out to Mayor Soderberg for permission to install a handicap parking spot. They will do the painting of the lines themselves.

A burn permit has been sent into the state for approval of burning the tree pile at the lagoon. We are waiting for the approval.

Jackie Siewert, city auditor, stated that the office of the State Auditor had accepted and approved the 2019 and 2020 city audits.

Holly Aarnold made a motion to adjourn; Jeff Siewert seconded the motion; motion passed unanimous.

City Auditor

Council Member

Mayor