

**City of Buxton
Meeting Minutes**

November 10, 2021 @ 7:00 PM
Buxton Fire Hall

Present: Travis Soderberg, Holly Aamold, Ben Hershey, Keaton Flanagan, Jeff Siewert, Cole Short and Dennis Reidhammer

Recording: Jackie Siewert, Auditor

Meeting called to order by Mayor Travis Soderberg

Meeting minutes from the October 13, 2021 meeting were read. Motion to approve the minutes was made by Jeff Siewert; seconded by Holly Aamold; motion passed unanimous.

The following bills were presented for payment:

Direct	Waste Management	\$3844.36
Direct	Xcel Energy	\$951.50
12573	East Central Regional Water Dist	\$189.92
12574	Midco	\$37.80
12575	Thomas Moe	\$150.00
12576	Trails County Tribune	\$287.25
12577	Travis Soderberg	\$336.67
12578	Steve Larson	\$3128.81
12579	Doug Thompson	\$152.38
12580	Gary Fuglesten	\$152.38
12581	Jaqueline Siewert	\$1385.25
12582	Lenita Larson	\$152.38
12583	VOID	VOID
12584	Xcel Energy	\$23.19

Keaton Flanagan motioned to approve the bills, Holly Aamold seconded the motion; motion passed unanimous.

Mayor Travis Soderberg confirmed the 2nd reading of the revised littering ordinance to cover littering in town and also the landfill as it was read within the October minutes. 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 made a motion to accept the second 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.

Dennis Reidhammer, a masonry contractor from Grand Forks, is interested in purchasing the old hardware store from David Knudsvig. Mr. Reidhammer wants to renovate the building to have a small workshop in the back, a small shop in the front and possibly an efficiency apartment upstairs. He wants to preserve as much of the original brick as possible. He wanted to confirm that there are not any issue with the city in regards to the building itself. The council advised him that there were not. Mr. Reidhammer requested a building permit for demo/renovation of the old hardware store. He also inquired about availability of grants for the restoration of the building. It was suggested that he reach out to Bobbi Olson of Hepper Olson Architects and Jim Murphy of the Traill County Economic Development Corporation.

Jackie Siewert, city auditor, presented the council with the November year to date budget comparison. The council reviewed and discussed the budgets items that are over budget. Mayor Travis Soderberg asked Jackie Siewert to bring the total of what is over to the December meeting. At that time it will be discussed what budget items will be reduced and funds transferred to eliminate the overages.

Jackie Siewert, city auditor, advised the council that current assessment savings account that was established for the drainage improvement project will also be used for the street improvement assessments. All payments received will be transferred to the savings account. All loan payments have been set up for auto-pay from the savings account.

Jackie Siewert told the council that the final State Revolving Fund payment request for the Water Drainage Improvement project has just been sent in. Once funding has been approved and received, a final payment will be made to Florian & Son's.

Keaton Flanagan asked if Jet-Way had returned to complete the clean out of the culvert under County Road 21 due to the drainage ditch not being previously cleaned out to specifications the last time they were in town. Mayor Travis Soderberg advised the council that the ditch to the south of the culvert did get dug out deeper but Jet-Way did not make it back to jet out the culvert. The culvert/ditch will be reassessed in the spring for final clean out along with the rest of the existing culverts in town. Ben Hershey made a recommendation to remind all residents in town to keep all inlets into the new drainage system clear from leaves and debris. This will aid the performance of the drainage system to benefit all residents. A reminder to the residents will also be made in the spring to keep leaves and debris away from the drain as well.

Mayor Travis Soderberg stated that there was a deer carcass that was disposed of at the city tree/compost pile and most recently 2 rugs and a mailbox have been disposed there. Only leaves and grass are allowed at the compost area and trees/branches are allowed at the tree pile area. This area gets routinely inspected by the North Dakota Department of Environmental Quality. Now that the littering ordinance has passed it will be enforced for any illegal dumping. There are cameras currently in use out there. Mayor Travis Soderberg suggested to the council that we will have to look into additional cameras or different trail cameras. Holly Aamold suggested that we post the pictures of the items found on the city's Facebook page.

Mayor Travis Soderberg advised the council that the open burn permit for the city tree pile has passed the initial inspection from the state and has been forwarded on for final approval from the North Dakota Department of Environmental Quality.

Jackie Siewert, city auditor, advised the council that two snow removal bids have been received. Anderson Excavating's bid was based on the use of heavy equipment for snow removal. A second snow removal bid was received from Ground 1 Contracting. The company is located in Moorhead, MN and the bid was based on the use of plow trucks and bobcats. After discussion of the bids, the equipment that was going to be used and the location of the company's Ben Hershey made a motion to accept Anderson Excavating's snow removal bid; Keaton Flanagan seconded the motion; motion passed unanimous.

Jackie Siewert advised the council that in the November issue of the CITYScan magazine there was a more detailed list of projects that are eligible and in-eligible projects using the ARPA funds. Jackie also advised the council that she had been contacted again by Linda Lies, a representative of the ND Management and Budget, to see if the city has reached a decision to accept the available ARPA funds in the amount of \$50,242.69. She reminded Jackie that the city has until 2024 to decide on how to spend the money and projects wouldn't have to be completed until 2026. Mayor Travis Soderberg is still hoping that perhaps an electronic informational sign for the city would be eligible or also updating the city's emergency siren. Keaton Flanagan made a motion to accept the ARPA funds of \$50,242.69; Jeff Siewert seconded the motion; motion passed unanimous.

Mayor Travis Soderberg met with John at Greenworks Landscaping & Fence. The lagoon gate will be installed soon. It will be a commercial gate with barbwire on top.

Mayor Travis Soderberg advised the council that the "Slow Children at Play" sign have been received. Travis drove around town with some residents that have kids to get their input on placement of the signs.

Mayor Travis Soderberg stated that the property at 304 Ives Street is not looking any cleaner. The loose items have not been picked up and there seems to be a few additional items. Ben Hershey made a motion to contact the city attorney in regards to the property at 304 Ives Street and possible violations of the previous city court sentencing; Jeff Siewert seconded the motion; motion passed unanimous.

Jackie Siewert advised the council that she had received an email from Waste Management that the Buxton Children Center's garbage container was overloaded. Jackie Siewert called the daycare and advised them of the email that was received. She reminded them to breakdown boxes and to keep the lid closed.

Jackie Siewert stated that the city also received a letter from the ND Department of Environmental Quality requesting that the city make building owners and contractors be aware of the requirements by the state for the inspection of asbestos and handling and disposal of asbestos.

The \$1000 grant funds awarded from the Traill County Economic Development Corporation have been received

Mayor Travis Soderberg asked for the council members to think of any ideas for Christmas to get the city more involved and bring back the spirit of Christmas. Holly Aamold suggested a lighting contest.

Since November is the month of Thanksgiving, Mayor Travis Soderberg thanked the city council members and the city auditor for their service.

Keaton Flanagan made a motion to adjourn; Holly Aamold seconded the motion; motion passed unanimous.

City Auditor

Council Member

Mayor