

November 14, 2016  
City Commission Minutes  
6:30 p.m. City Hall

Members Present: Thomas, Kroll, Baumann, Boehm, Jacobson

Commissioner Thomas called the meeting to order.

Minutes from October 10<sup>th</sup>, 2016. After reviewing minutes, Thomas informed that Captain's Cabin off-site alcohol permit was not in the minutes, the Dan Beutler conditional use permit should have been shop and storage, not just storage, bills were not listed, and items that were discussed but not acted on were not listed. They include the Sioux Ferry vandalism and Washburn Memorial Building roof. Zimmerman will redo the minutes to include all changes. The minutes from October 10<sup>th</sup> were tabled.

Motion to approve the minutes from October 17<sup>th</sup>, Jacobson and seconded by Boehm. Discussion none. Roll call: all in favor, motion carried.

Motion to approve the financials from October 2016, Kroll and seconded by Baumann. Discussion None. Roll call: all in favor, motion carried.

Motion to approve the waiving of fee for the Memorial Building for River Riders the weekend of February 18, 2017 for a cancer benefit, Thomas and seconded by Jacobson. Discussion: \$150.00 deposit will be needed, even though the fee is waived. Neda Degenstein asked why she was quoted the full rental rate when they are a non-profit and that is listed at a lower rate. Zimmerman stated that if the office is told they are non-profit the rate would always be offered, however, that information does need to be supplied to the office when renting. Non-profit status of organizations is not something the office is always aware of. Roll call: all in favor, motion carried.

Motion to approve the Special Assessment Assistance applications for water and sewer assessment relief to qualifying residents, Thomas and seconded by Kroll. Discussion: Zimmerman stated there were 14 who applied for a total of \$5533.88 of those who qualified, there is still enough money in the fund to support this. A payment will be sent to the county on their behalf. Roll call: all in favor, motion carried.

Motion to approve the removal of brick sign in front of City Hall and to solicit estimates for a new sign, Jacobson and seconded by Baumann. Discussion: Zimmerman stated that a number of chemicals and cleaners had been tried to clean the brick, but none had worked and Public Works will remove the brick. Roll call: All in favor, motion carried.

Charlene Binsfeld, demolition/burning application, tabled until spring.

Motion to approve the re-plat for Elaine Carr, Baumann and seconded by Boehm. Discussion: Mrs. Carr is combining three parcels into one. Thomas informs there was no opposition at the public hearing and Planning & Zoning recommended approval. Roll call: all in favor, motion carried.

Motion to approve the 10 ft. variance for Vickie Mayer, Jacobson and seconded by Baumann. Discussion: Thomas explains that she has an odd shaped lot and the variance will align the planned addition with the existing garage. There was no opposition at the public hearing and Planning & Zoning recommended approval. Roll call: all in favor, motion carried.

The City office has received a number of calls about abandoned vehicles and blighted structures in Washburn. Zimmerman asked the Commission for direction in dealing with this issue. Thomas stated that he and City Supt Rothmann were going to go around Washburn earlier this year but it had not worked out, but offered to set up a time again to come up with a list of properties in violation and to send letters. Resident Ray Hager offered that the police department could help enforce some of these things, ie: cars in streets and unattended trailers. Jacobson countered and stated he thought Washburn has a lot of police coverage and that they are very involved in the community and doing a great job. Thomas and Baumann will take a look at properties.

Commissioner Jacobson discussed businesses being run from residential areas and being assessed as residential rather than business; a topic that was also discussed at the previous meeting. He thinks it is unfair to the other businesses, zoned commercial, all businesses should be assessed the same even if they are zoned residential. Commissioner Jacobson would like it addressed and not forgotten. Sue Winter, Assessment Chairperson, who was in attendance, explained how businesses were distinguished from residential during the past assessment period. She stated that they did not have a list of in-home businesses. Thomas agreed it was something that would need to be looked at for next time.

Darrell Scheresky and Bill Matthews, Hooter and Scooter, asked the City Commission for guidance on moving forward with a Zoning change for their business and allow them to run go carts. Thomas cited the Planning & Zoning Ordinance which lays out the process for an ordinance change. Zimmerman asked if they knew what they would be asking for in that change. Matthews stated he is looking for clarification on the Ordinance. He has discussed it with City Attorney David Lindell and was given a different opinion than the one Lindell had previously provided to the City in an official capacity. Matthews provided the Commission with a decibel reading from the weekend that had been conducted by Dan Leingang.

Commissioner Boehm asked Scheresky and Matthews about opening the second event in October up to the public and posting it as such on social media after the Commission, and they, had agreed that it was a private party. Scheresky explained that there were a lot of things up in the air and it was a situation of putting the cart before the horse, Thomas read the previous agreement that stated they were only to have the second event for a private party.

Matthews asked what the next step after a zoning change would be if they were not satisfied with the outcome? Zimmerman recommended they look at the zoning ordinance and determine what they are asking for and move forward from there.

Motion to pay Wagner Construction Pay 4, \$588,966.12 and Pay 5, \$410,688.45, Baumann and seconded by Boehm. Discussion: Thomas asked when the final pay will be. Lothspeich said there were a few items left to do and then will check quantities and move forward. Roll call: All in favor, motion carried.

Lothspeich gave a construction update on the 2016 Street & Utility Project. All concrete is completed and they are working on signage. The lateral connection seals will be done in the coming weeks by Quam construction and that will finish up the sewer liner. Dirt work will continue by Velva Environmental. Thomas asked about penalties as they are quite a bit past the deadline. Lothspeich agreed to move forward with what the Commission asked although he expects push back with rain delays, additional work requested with concrete, and asphalt. Thomas added that there were a lot of

days they were supposed to be here and were not including three weeks where they were absent. Baumann asked about chip sealing. Lothspeich reminded the Commission that they were here in June, but due to Riverboat Days, they were asked to come back later in the summer and then were unable to.

Commissioner Jacobson asked about the drainage on the corner of Sixth Street and Main Avenue. The water pools and will need to be looked at in the spring. Jacobson has a video of the water and will forward to Lothspeich.

Lothspeich will check the contract documents and plan a discussion at the December meeting.

Motion to approve the tree removal proposal from Hoffer Arborist and for the removal of (4) trees that prior to the planned sidewalk project, in the amount of \$2250.00 for tree removal and grinding for \$850.00, Jacobson and seconded by Kroll. Discussion: Zimmerman will draw up an agreement stating the amount and condition that it be complete within the next (2) weeks, weather permitting as well as the dumping of the trees. Thomas asked where he would be dumping the trees, Zimmerman thought Hoffer had discussed it with Rothmann. Roll call: Aye, Jacobson, Boehm, Kroll and Thomas and Nay: Baumann. Motion carried.

The schedule for City Commission Meetings for 2017, tabled.

Portfolios:

Jacobson: Questioned the roof bid of the Memorial Building and the crane removal on the estimate. Hendrikson offered that she had called the company and it was standard language on the companies invoice and a crane rental is not needed for the project.

Boehm: The old courthouse roof work on top of the print shop has been completed as much as possible due to the weather, \$1000.00 was held out until its completion this spring. Although they need to tar over the seams again, there is not a leakage concern at this time. The pavement at the airport passed the test in October, so they are moving forward with pouring the apron.

Kroll: Nothing to report

Baumann: Nothing to report

Thomas: MDU cut out a patch of asphalt on 14<sup>th</sup> Street, no one from the City was notified of the work being done and the asphalt patch was bad. It will need to be looked in to further and possibly a deposit and fine. It was a new road and it is already a low area going to cause problems; he requested the Street Ordinance be sent to him. He has been looking into special event permits and will continue his research.

Zimmerman: Has redone the applications for Sales and Use and the Washburn Promotion Fund in an attempt to for more accountability to groups requesting public funds. She also included a document for Commissioner's to consider to help remove dangerous buildings. Thomas would like to incorporate it into the existing Ordinance.

Resident Stanley Orr asked the Commission to please remember the impact to residents their actions and decisions are having. He cited the current junk ordinance and special assessments that are making it difficult for young people to live in Washburn. He was especially upset about the discussion on removal of vehicles and the time frame-fining. Zimmerman attempted to assure him that it was not the

City's intention to run people out of town and that anyone willing to clean up their property and needing help will receive as much help as possible.

Motion to pay bills, Baumann and seconded by Jacobson. Discussion: bill from RDO in the amount of \$1310.51, Baumann stated the lawnmowers should not be taken to RDO to be serviced as it is something that Public Works can do on their own. Roll call: all in favor, motion carried.

Fire Chief Clayton Verke supplied information on a Burn Boss, which would alleviate the tree mound problem. There are no emissions from smoke, Thomas asked if something like this needed approval from the state, Verke will check. Economic Development Director, Tana Larson added that there may be grants for this type of thing.

Bills:

021885E	CARDMEMBER SERVICES	10/13/2016	\$496.60
021888E	MIDCO	10/12/2016	\$75.00
021889E	VERIZON WIRLESS	10/12/2016	\$85.97
021890E	AFLAC	10/12/2016	\$361.06
021891E	AFLAC	10/12/2016	\$541.59
021893E	ND STATE TAX COMMISSION	10/12/2016	\$825.37
021894E	INTERNAL REVENUE SERVICE	10/13/2016	\$3,020.96
021895E	INTERNAL REVENUE SERVICE	10/25/2016	\$2,925.74
021896E	BLUE CROSS BLUE SHIELD	10/25/2016	\$6,139.85
021897E	STARION BOND SERVICE	11/7/2016	\$73,534.01
021900E	GLOBAL PAYMENTS	11/2/2016	\$78.46
021901E	REVTRAK	11/8/2016	\$216.36
021902E	INTERNAL REVENUE SERVICE	11/8/2016	\$450.23
021903E	INTERNAL REVENUE SERVICE	11/8/2016	\$543.94
021904E	INTERNAL REVENUE SERVICE	11/8/2016	\$2,764.27
021905E	VERIZON WIRLESS	11/9/2016	\$85.88
021906E	MIDCO	11/14/2016	\$75.00
28186	Fuchs, Nancy L.	10/10/2016	\$7.70
28187	Hendrikson, Sharon	10/10/2016	\$1,024.63
28188	Hillerud, Nancy J	10/10/2016	\$83.11
28189	Ogden, Mark	10/10/2016	\$529.50
28190	Rothmann, Bryan	10/10/2016	\$1,940.49
28191	Thomas, Adam L.	10/10/2016	\$0.00
28192	Zimmerman, Joan	10/10/2016	\$1,410.46
28193	Zimmerman, Kim	10/10/2016	\$1,486.98
28207	ADAM THOMAS	10/10/2016	\$344.90
28207	ADAM THOMAS	10/10/2016	(\$344.90)
28208	AE2S	10/10/2016	\$63,852.30
28209	AMERIPRIDE	10/10/2016	\$249.40
28210	BROWN & SAENGER	10/10/2016	\$7.98
28211	CARDMEMBER SERVICES	10/10/2016	\$0.00
28212	DOCS SHOP, INC	10/10/2016	\$149.70
28213	ENERBASE COOPERATIVE RESOURCES	10/10/2016	\$318.06
28214	FARMERS UNION INSURANCE	10/10/2016	\$18,711.00
28215	HAWKINS	10/10/2016	\$2,934.84
28216	HELPER GUY	10/10/2016	\$895.55
28217	J-S SANITATION	10/10/2016	\$100.00
28218	KRAUSES SUPERVALU	10/10/2016	\$26.97
28219	LEADER NEWS	10/10/2016	\$620.41
28220	MCLEAN ELECTRIC	10/10/2016	\$91.50
28221	MVTL LAB	10/10/2016	\$25.00

28222	NAPA AUTO PARTS	10/10/2016	\$36.75
28223	RDO EQUIPMENT	10/10/2016	\$60.40
28224	SALHUS SEPTIC PUMPING	10/10/2016	\$300.00
28225	SCOTTS HARDWARE	10/10/2016	\$165.33
28226	ST ALEXIUS MEDICAL CENTER	10/10/2016	\$139.46
28227	WASHBURN AUTOBODY	10/10/2016	\$52.58
28228	WEBER ELECTRIC INC.	10/10/2016	\$7,583.69
28229	WEST RIVER TELEPHONE	10/10/2016	\$639.74
28230	WAEDA	10/14/2016	\$50,000.00
28231	Fuchs, Nancy L.	10/24/2016	\$53.88
28232	Hendrikson, Sharon	10/24/2016	\$1,034.20
28233	Hillerud, Nancy J	10/24/2016	\$83.11
28234	Ogden, Mark	10/24/2016	\$538.06
28235	Patterson, Elizabeth A.	10/24/2016	\$336.55
28236	Rothmann, Bryan	10/24/2016	\$1,723.18
28237	Thomas, Adam L.	10/24/2016	\$1,503.85
28238	Zimmerman, Joan	10/24/2016	\$1,449.37
28239	Zimmerman, Kim	10/24/2016	\$1,404.08
28240	HENDRIKSON, SHARON	10/24/2016	\$676.68
28241	PRAIRIE CARPET SERVICES	10/25/2016	\$4,450.72
28242	ASC CONSTRUCTION	10/25/2016	\$459.00
28243	CIRCLE SANITATION	10/25/2016	\$7,341.00
28244	LIBERTY BUSINESS SYSTEMS	10/25/2016	\$95.42
28245	MDU	10/25/2016	\$213.34
28246	OTTERTAIL POWER	10/25/2016	\$4,371.07
28247	US POSTAL OFFICE	10/31/2016	\$167.54
28248	Fuchs, Nancy L.	11/7/2016	\$109.29
28249	Hendrikson, Sharon	11/7/2016	\$960.72
28250	Hillerud, Nancy J	11/7/2016	\$110.82
28251	Ogden, Mark	11/7/2016	\$454.31
28252	Rothmann, Bryan	11/7/2016	\$1,750.36
28253	Thomas, Adam L.	11/7/2016	\$1,503.85
28254	Zimmerman, Joan	11/7/2016	\$1,364.03
28255	Zimmerman, Kim	11/7/2016	\$1,269.75
28256	Thomas, Adam L.	10/10/2016	\$1,596.93
28257	ADAM THOMAS	11/14/2016	\$557.73
28258	AMERIPRIDE	11/14/2016	\$275.13
28259	ASC CONSTRUCTION	11/14/2016	\$459.00
28260	BANYON DATA SYSTEMS	11/14/2016	\$795.00
28261	DACOTAH PAPER CO	11/14/2016	\$104.03
28262	FARGO WATERWORKS	11/14/2016	\$761.18
28263	ENERBASE COOPERATIVE RESOURCES	11/14/2016	\$559.20
28264	FARMERS UNION INSURANCE	11/14/2016	\$574.00
28265	FERGUSON WATERWORKS	11/14/2016	\$246.11
28266	FISHBECK TECHNOLOGY CONSULTING	11/14/2016	\$260.00
28267	FLR SANDERS	11/14/2016	\$17,660.00
28268	HAWKINS	11/14/2016	\$4,499.82
28269	JAVA ROSE	11/14/2016	\$76.00
28270	J-S SANITATION	11/14/2016	\$40.00
28271	LEADER NEWS	11/14/2016	\$657.50
28272	LIBERTY BUSINESS SYSTEMS	11/14/2016	\$53.95
28273	LINDELL LAW OFFICE	11/14/2016	\$6,100.00
28274	MCLEAN ELECTRIC	11/14/2016	\$95.50
28275	MDU	11/14/2016	\$417.12
28276	MVTL LAB	11/14/2016	\$25.00

28277	ND DEPT OF HEALTH LAB SERVICES	11/14/2016	\$64.00
28278	ND LEAGUE OF CITIES	11/14/2016	\$20.00
28279	NEWMAN TRAFFIC SIGNS	11/14/2016	\$103.00
28280	OK TIRE STORE	11/14/2016	\$972.30
28281	ONE CALL CONCEPTS	11/14/2016	\$36.10
28282	RDO EQUIPMENT	11/14/2016	\$1,310.51
28283	RITEWAY	11/14/2016	\$694.48
28284	RIVER AG	11/14/2016	\$1,570.88
28285	SCOTTS HARDWARE	11/14/2016	\$163.47
28286	ST. PAUL STAMP WORKS INC.	11/14/2016	\$131.31
28287	STARION BOND SERVICE	11/14/2016	\$900.00
28288	WAGON WHEEL LUMBER	11/14/2016	\$890.86
28289	WEBER ELECTRIC INC.	11/14/2016	\$178.35
28290	WEST RIVER TELEPHONE	11/14/2016	\$635.81
1016	Wagner construction	Pay 3	\$346,474.53

Meeting Adjourned.

Joan Zimmerman, Auditor  
City of Washburn