

# NOTUS CITY COUNCIL MEETING MINUTES

Regular Session: **Monday December 3<sup>rd</sup>, 2018**

@ 7:00PM at Notus City Hall

## 1. Meeting Called to Order

Meeting called to order at 7:05 pm by Mayor, David Porterfield.

## 2. Roll Call

Roll call was taken with the following results. Councilmen Rick Wallace Jr and Clint Berends, present. Councilwomen, Mo Shamseldin and Michelle DeGiorgio, present. Also present Mayor, David Porterfield and City Attorney, Todd Lakey.

## 3. Pledge of Allegiance

## 4. Public Concerns, Comments

NONE

## 5. Special Action Item

### 5.1 Acceptance of Council Resignation

Mo Shamseldin states that it is with a heavy heart that she has to submit her resignation to the Mayor and Todd (City Attorney). She thanks the residents for the honor to allow her to serve the community. Mayor thanks her for her great service to the community.

Berends motioned to accept Shamseldin's resignation. Wallace Jr seconded. Roll call was taken with the following results: Berend; yes, Wallace Jr; yes, DeGiorgio, no. Motion passed. Shamseldin leaves meeting.

### 5.2 Mayor Council Member Appointment Approval

Mayor suggests appointment of Bonnie Emly to the open council seat. She would serve until the next general election in November 2019. Bonnie grew up locally and has lived in Notus for 8 years. DeGiorgio motioned to accept Bonnie Emly (appointment) to the City Council. She believes she is a wonderful person and would do a good job. Berends seconded. Roll call was taken with the following results: DeGiorgio; yes, Berend; yes, Wallace Jr; yes. Motion passed.

### 5.3 Swearing in of Appointed Council Member

City Clerk, Loretta Vollmer administers the Oath of Office to Bonnie Emly. Bonnie Emly takes her seat at Council table.

## 6. Consent Agenda, ACTION ITEMS

### 6.1 Disbursement List

Wallace Jr motioned to pay the bills as presented. He suggests looking for cheaper place for maintenance of the side by side than Grizzly. Clint seconded. Roll call was taken with the following results: Wallace Jr; yes, Berends; yes, DeGiorgio; no, Emly; yes. Motion passed.

DeGiorgio wants to know why does the side by side repair work cost so much when it is relatively new. Mayor commented that he did dispute the first invoice since it was over the estimate. Grizzly Motor Sports has agreed to a reduction to the estimated price. DeGiorgio suggests more training on equipment operation for employees. Mayor stated that the service completed was a normal service and repair for the side by side (age and hours), according to the mechanic that worked on it.

### 6.2 Council Meeting Minutes

City Clerk stated there is a correction in spelling of "capacity" and delete the word "the" on line 5 of 8.2. Berends motioned to approve the meeting minutes from 11-19-18 with corrections noted by Clerk. Wallace Jr. seconded. Roll call was taken with the following results: Berend; yes, Wallace Jr; yes, DeGiorgio, abstained, Emly; yes. Motion passed.

### 6.3 Committee Meeting Minutes: Library, Community Events

Wallace Jr motioned to accept Library meeting minutes of 10-10-18 into City record. Roll call was taken with the following results: Berend; yes, Wallace Jr; yes, DeGiorgio, abstained, Emly; yes. Motion passed.

7. Community Relations

7.1 VRT Liaison

NONE

7.2 COMPASS – RTAC

Wallace Jr commented that snow removal was discussed. Keep public areas deiced. It is suggested that all cities have a Public Safety Plan.

7.3 Notus School District

NONE

8. Professional's Reports

8.1 Wastewater

Mayor reported that the discharge reports are being completed by Mike Black and submitted on time.

8.2 City Engineer

Mayor shared that the (line) excavation of the southside project started today. Pipe is on site. Lagoon #4 chlorination building is ready to be set on the foundation. We need more land area to store all the pipe purchased. DeGiorgio suggests asking Larry Lewis or the Taylors (empty lots along Fargo). Mayor commented that he could ask although they haven't been very receptive in the past to the City's requests.

Mayor stated that there is an issue with Union Pacific Rail Road. They have now subcontracted out their required RR certified street flaggers for the sewer line work under the RR crossing. They are asking for \$1000.00 a day for the flaggers. USDA Kent Erickson and Stuart are working with them on the cost increase.

8.3 Crestline Engineering

Mayor stated that Greg Tankersley has helped the city look at the grants available. We believe there are too many engineering logistics required before we can apply for the Children's pedestrian Safety. We would need to have the engineers design and deal with the storm water drainage, curbs, gutters and identify easements needed.

There is a federal aid grant for rural communities from COMPASS of \$25,000.00 for engineering costs associated with road improvement that we may qualify for. DeGiorgio comments that all these funding sources are not transparent and all the money gets siphoned away on engineering costs.

Mayor stated that the chip seal grant of \$100,000.00 we received is ready to go out to bid in January or February.

9. Business: ACTION ITEMS

9.1 Water Meter Reinstallation and fee, 422 1st Street, Notus

Mayor shared fees from other cities with Council. Berends comments that if we want to change the amount (\$2000.00), we need to change it for everyone by changing the city code, not just for one person. Discussion. DeGiorgio motioned to drop the reconnection fee for 422 1st Street to \$400.00. Wallace Jr seconded. Roll call was taken with the following results: DeGiorgio; yes, Wallace Jr; yes, Emly; abstain, Berends; no. Motion passed.

9.2 Request for Relief of Sanitation Charges, 414 and 406 Elgin Ave

Mayor and City Clerk presented case for residents. After several meetings with residents concerning city code violation for lack of sanitation services, residents are asking for relief of sanitation charges for both locations due to lack of income. Wallace Jr motioned to allow them garbage service and one toter at one address until May 2019. After that time, they must show proof as to why they can't afford the 2<sup>nd</sup> toter and garbage service (\$13.65) for the other address. DeGiorgio seconded. Roll call was taken with the following results: Wallace Jr; yes, DeGiorgio; yes, Emly; abstain, Berends; no. Motion passed.

### **9.3 Liquor License Renewals**

DeGiorgio motioned to approve liquor license renewals for Jacksons Food and The Garage Café. Wallace seconded. Roll call was taken with the following results: DeGiorgio; yes, Wallace Jr; yes, Emly; yes, Berends; yes. Motion passed.

### **9.4 Shop Construction at Well Site #4**

Mayor stated that DEQ will not allow a shop at the current suggested location. DeGiorgio comments the costs are ridiculous. In general, the Council suggests going back to the drawing board. DeGiorgio motioned to get a "Tuff Shed" put up next to the well for the computer by 2019. Motion dies for lack of second.

### **9.5 Warranty Deed- Strip along 1<sup>st</sup> Street, South- Gantz**

Mayor updated Council. Warranty Deed has been signed for 15 ft strip of property on 1<sup>st</sup> street So. from Railroad to the northern property line of 204 1<sup>st</sup> street with Mr. Gantz. We will need to survey the rest of the roadway from that point, south to pursue that purchase as well from Mr. Gantz.

### **9.6 Land Survey- Part of 194 1<sup>st</sup> Street, South- Gantz**

Mayor stated that the owner of 204 1<sup>st</sup> Street, So. will be surveying their property in January and if we can get the same surveyor to identify our property lines at the same time, we could save some money and extra time since they are a shared property line. Berends motioned to allow the survey from 204 1<sup>st</sup> Street to 194 1<sup>st</sup> Street So. Wallace seconded. Roll call was taken with the following results: Berends; yes, Wallace Jr; yes, DeGiorgio; yes, Emly; yes. Motion passed.

### **9.7 Code Enforcement Update**

Mayor shared the results of his hard, time consuming, and tedious work of trying to get City Code enforcement for the City. After talking to many different City and County officials, Brian Billingsley from Caldwell police department has graciously agreed to do 5 city Code enforcements, all on one day, one time a month for \$170.59 per month. DeGiorgio asked what line item this would come from in the City budget. Mayor states that it would be the law enforcement line. She comments that the City needs law enforcement not just code enforcement and she would not give up any money from the law enforcement budget for this. Mayor comments that he has tried to get both types of enforcements and it cannot be done. No one will combine those services. Council denied the request to contract with the Caldwell Police Department for nuisance code enforcement for the City.

### **9.8 Employee Bonus Approval**

Mayor suggests an employee holiday bonus of \$100.00 for each of the 4 employees. Wallace Jr motioned to approve \$100.00 for each employee. Emly seconded. Roll call was taken with the following results: Wallace Jr; yes, Emly; yes, DeGiorgio; no, Berends; yes. Motion passed.

## **10. Mayor & Council Comment**

DeGiorgio comments that perhaps there is a lack of knowledge of the running of the maintenance equipment that causes the need for so many repairs. Mayor stated that there are many different degrees of skill and knowledge, but if she wants it to be like a classroom setting, we can do that.

II. Adjournment

DeGiorgio motioned to adjourn at 9:50 pm. Berends seconded. Voice vote. All in favor. Motion passed.

Respectively submitted by Loretta Vollmer, City Clerk \_\_\_\_\_

David Porterfield, Mayor \_\_\_\_\_