

City of Buxton
Meeting Minutes
March 8, 2023 @ 7:00 PM
Buxton Fire Hall

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

Recording: Jackie Siewert, Auditor

Meeting called to order by Mayor Travis Soderberg

Meeting minutes from the February 8, 2023 meeting were read. Motion to approve the minutes was made by Holly Aamold seconded by Jeff Siewert; motion passed unanimous.

The following bills were presented for payment:

Direct	Visa	\$697.46
Direct	Waste Management	\$4102.73
Direct	Xcel Energy	\$1002.51
12791	East Central Regional Water Dist	\$308.19
12792	Jackie Siewert	\$292.17
12793	Midco	\$49.17
12794	Nilson Brand Law	\$152.50
12795	Thomas Moe	\$150.00
12796	Xcel Energy	\$51.10
12797	Jaqueline Siewert	\$1385.25
12798	Hillsboro Banner	\$428.89

Ben Hershey motioned to approve the bills, Keaton Flanagan seconded the motion; motion passed unanimous.

Jackie Siewert, city auditor, reviewed the current year to date budget comparison.

Reading of the minutes included the revised ordinance of the city's current parking ordinance which also constituted as the 2nd reading as follows:

**AN ORDINANCE TO AMEND CHAPTER 9, ARTICLE 20 OF THE REVISED ORDINANCES OF
2018 OF THE CITY OF BUXTON AMENDING ORDINANCE NO. 9.2006**

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

That Chapter 9, Article 20 be amended as follows:

~~9.2006 – Stopping – Parking – Over 48 Hours~~

~~It shall be unlawful for anyone to park or leave standing on any public street or highway in the city any vehicle, trailer, camper, motorhome, boat, implement or any other such device for a period longer than forty-eight (48) hours consecutively, provided this section shall not include any area where a shorter time is provided for parking, nor shall this section be construed to permit parking for a longer time than is provided in such areas.~~

~~Any vehicle, trailer, camper, motor home, boat, implement or any other such device found to be in violation of this ordinance shall be immediately removed from any public street or highway by the owner or said item shall be impounded by the city.~~

9.2006 – Stopping

1. No driver of any vehicle shall stop the vehicle on any street, avenue, lane or alley of the City in such a manner as to hinder or prevent other vehicles or persons from passing at all times, nor shall any driver of any vehicle stop the same at any regular crossing of said street, alley, lane or avenue, so as to prevent the free passage of persons traveling or passing on foot.

2. No vehicle shall be left standing upon any of the streets, avenues, roadways, public ways, boulevards, public property or alleys of the City of Buxton for a longer period than twenty-four (24) hours. When said twenty-four (24) hours shall have elapsed and said vehicle shall not have been moved for a distance of more than one (1) block or

three hundred (300) feet, whichever is less, then said vehicle shall be construed to have remained stationary. A fine will be enforced unto according to N.D.C.C §39-06.1-06 plus an additional one hundred percent for a total of double the statutory fine as prescribed in said N.D.C.C §39-06.1-06.

Upon a roll call vote. Ayes: Jeff Siewert, Keaton Flanagan, Holly Aamold and Ben Hershey. Nays: None. Absent: None. The 2nd reading was accepted and the ordinance is in effect as of March 8, 2023.

Reading of the minutes also included the revised ordinance for Mobile Home and Recerational Vehicle which also constituted as the 2nd reading as follows:

**AN ORDINANCE TO AMEND CHAPTER 9, ARTICLE 20 OF THE REVISED ORDINANCES OF
2018 OF THE CITY OF BUXTON**

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

That Chapter 9, Article 20 to be amended as follows:

9-2008. Mobile Home and Recreational Vehicle

- a. "Mobile Home"-a detached residential unit designed for transportation arriving complete and ready for occupancy at the site where it is to be occupied except for connections to utilities. A recreation travel trailer is not to be considered a mobile home.
- b. "Recreational vehicle" - a vehicular unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are travel trailer, camping trailer, fifth-wheel trailer, truck camper and motor home.
- c. It is unlawful for any person to park a mobile home or recreational vehicle on any street, alley, highway, or public place or on any tract of land owned by any person, occupied or unoccupied, within the city except as provided in this section.
- d. Emergency or temporary stopping or parking is permitted on any street, alley or highway for no longer than 24 hours, subject to any other or further traffic or parking limits imposed on such streets, alleys, or highways.
- e. Mobile homes or recreational vehicles may be used for temporary construction offices and sales rooms when a special use permit is first secured as required by these ordinances.
- f. Recreational vehicles may be parked upon private premises, if vacant and not used for human habitation. A recreational vehicle may not be occupied or used for human habitation unless located in a licensed recreational vehicle park, or except for special events at designated locations approved by the building official.
- g. Mobile homes may be allowed on parcels of land that are properly zoned and platted for such use as allowed.
- h. Penalty: A fine will be enforced unto according to N.D.C.C §39-06.1-06 plus an additional one hundred percent for a total of double the statutory fine as prescribed in said N.D.C.C §39-06.1-06.

Effective Date. This ordinance shall be in full force and effect from and after the date of its second reading and final passage.

Upon a roll call vote. Ayes: Jeff Siewert, Keaton Flanagan, Holly Aamold and Ben Hershey. Nays: None. Absent: None. The 2nd reading was accepted and the ordinance is in effect as of March 8, 2023.

Mayor Soderberg advised the council he has not received any updates in regards to ECRWD.

Jackie Siewert, city auditor, advised the council that Janet Meyer contacted her in regards to scheduling the tax equalization meeting. April 12th is available, which is also the date of April council meeting. Ben Hershey made a motion to schedule the tax equalization meeting for April 12, 2023 at 7:00pm at the Buxton Fire Hall with the April council meeting to follow afterwards; Holly Aamold seconded the motion; motion passed unanimous.

Jackie Siewert, city auditor, advised the council that she contacted Janet Meyer in regards to the residential and commercial remodelling tax exempt application. Janet Meyer stated that she did not have the form, although, she

suggested reaching out to the City of Hillsboro. The City of Hillsboro uses a fillable application for property tax exemption for improvements to commercial and residential building that is available on the ND tax website.

Jackie Siewert, city auditor, received authorization papers for the 2023 mosquito and forest tent caterpillar spraying from Airborne Vector Control. Jeff Siewert made a motion to complete and update the authorization papers from Airborne Vector Control for the 2023 mosquito and forest tent caterpillar spraying; Keaton Flanagan seconded the motion; motion passed unanimous.

Mayor Soderberg advised the council that a quote was received from Team Lab for the 2023 spraying the lagoons. The quote was for \$1690.00 for two applications. The City Council discussed and there have been noticeable improvements from previous sprayings at the lagoon to keep within compliance from the State of North Dakota. Ben Hershey made a motion to accept the quote from Team Lab for \$1690.00 for spraying two applications at the lagoon; Keaton Flanagan seconded the motion; motion passed unanimous.

Mayor Soderberg presented the council with an updated quote from Iron Hide Equipment for a Bobcat Toolcat. He has also reached out to other businesses with electronic signs to see which signage company they worked with for other electronic sign quote options.

Mayor Soderberg advised the council that the Prairie Dog Funds have been received in the amount of \$76,364.20. Jackie Siewert stated that the funds are required to be used for "essential infrastructure projects". The funds cannot be used for debt repayment or routine maintenance. Similar to the ARPA funds there are limitations as to what the funds can be used for. The project must also be approved by the State Treasurer. If funds are used in a manner inconsistent with the requirements the state treasurer shall reduce any future grants to the city by the amount spent that was inconsistent with the requirements. Jackie Siewert has reached out to the State Treasurer office and also the ND League of Cities to inquire if there is a more defined list for qualifying projects and also if there is a required process for ensuring a project is approved. Mayor Soderberg would like to see a portion of the funds to help with the replacement of the basketball court. Ben Hershey inquired if the generator for the lift station would be considered a qualifying project, if yes, could we use the Prairie Dogs funds for that and the other funds could be used towards another project. Mayor Soderberg stated that there isn't a rush to spend the funds. Jackie Siewert said will continue to follow up on any additional information for the usage of Prairie Dog Funds. Jackie Siewert also requested approval to open a savings account for the Prairie Dog Funds to be transferred to for the meantime. Holly Aamold made a motion to open a savings account for the Prairie Dog Funds; Jeff Siewert seconded the motion; motion passed unanimous.

Mayor Soderberg advised the council that Kirk Waslien had reached out to him and the generator is in the build process. He would also like an idea on what type of foundation and fence would be used. Mayor Soderberg will work on a layout.

Mayor Soderberg stated that the cost for the Christmas lights was a little over \$2000.00 which does not include the cost of the lift to take down the lights. \$1500 has been received in donations. Dan Fuglesten will also be reaching out to the local business for donations to offset the remainder of the costs.

Jackie Siewert, city auditor, presented the council with an updated emergency siren information sheet that will be published with the April Buxton Beat. With another steady siren recently ringing for a fire call council member Holly Aamold stressed her concern for the siren not ringing properly and perhaps causing confusion amongst the residents. Jackie Siewert will reach out to Sheriff Steve Hunt to schedule a day for testing the sirens to correct this.

Mayor Soderberg advised the council that he emailed his contact at BNSF in regards to more BNSF trains blocking the city's north entrance twice in two weeks for over 24 hours each time. She suggested perhaps the city may want to consider closing that crossing. BNSF would pay for the closure. Mayor Soderberg said that was not an option. He also spoke to local BNSF contacts in Grand Forks. They stated that they are aware of the problem and they know that we have very busy crossings.

Ben Hershey stated that a Park Board meeting is scheduled for April 4, 2023 at 7:00pm.

Mayor Soderberg advised the council that he notified Thomas Anderson of Anderson Excavating to plan for ditch cleaning in the spring. Mayor Soderberg also stated that as the thawing begins we should monitor for plugged inlets on the city drainage system. All the inlets were marked in the fall so they should be easy to find.

Mayor Soderberg adjusted the noon, 6pm and 9pm siren to ring at the correct time. It was off by a few minutes.

Mayor Soderberg confirmed the next city council meeting will be held April 12, 2023 @ following the Tax Equalization meeting that is scheduled for 7pm.

Keaton Flanagan made a motion to adjourn; Jeff Siewert seconded the motion; motion passed unanimous.

City Auditor

Council Member

Mayor