

REGULAR HARVEY CITY COUNCIL MEETING
Wednesday, July 10th, 2024, 5:30p.m.
City Hall

Note: All motions unanimously passed unless otherwise stated.

Key: M-Motion, MS-Motion Second, VV-Voice Vote, RCV- Roll Call Vote, MC-Motion Carried

The Harvey City Council met at City Hall on Wednesday, July 10th, 2024, at 5:30 p.m.

Present were Mayor Dean Klier, Council Members Milo Baltrusch, Gil Steedsman, Mike Prom, Donnie Hoepfer, Gary Kennedy, and Kerry Susag. Also, present were Auditor Karen Nordby, Public Works Director Jamey Weinmann, JDA Director Spencer Marchand, and Terri Powers.

VISITORS: Wendy Opp, Amy Dale, Buffy Olson, Harley Hoepfer, Travis Carlson, Cheryl Ryan, Rick & Marci Eckart, Debbie Richards, Donna Edinger, William Earl, Deputy Gabe Johnson, Shelley Chin, Michael Anhalt & Brad Williams with KFYZ, and Anthony Setness with Moore Engineering. City Attorney Chris Nyhus was present via Zoom.

Mayor Klier called the regular meeting to order.

Mayor Klier led the Pledge of Allegiance.

Chris Nyhus, the City Attorney made a recommendation to the Council to remove Travis Carlson from the agenda. Mr. Carlson is a previous employee that resigned. He does not have anything that relates to the rest of the agenda. Chris recommends that Mr. Carlson calls and has a conversation with him to protect the City before it is on the agenda. M by Prom, MS by Kennedy to table the discussion until Mr. Carlson contacts the city attorney. Upon RCV, with Baltrusch, Susag, and Hoepfer voting nay; Prom, Kennedy, Steedsman voting aye, and Klier voting aye as a tie breaker, MC.

Steedsman was asked to speak for Albert Krueger on his current sewer issue. He stated that Krueger wanted recommendations on how to proceed from the Council. The Council informed Krueger that the City of Harvey is not involved and that it is a civil matter.

Anthony Setness with Moore Engineering presented his Engineer's Report. He informed the Council that the sewer lining project was scheduled with a July 19th start date and the process will take about 3 weeks. M by Baltrusch, MS by Steedsman to approve Change Order #2 for \$14,250 for transition liner and patch kits. Upon RCV, MC. M by Baltrusch, MS by Hoepfer to approve the Contractor's Application for Payment in the amount of \$63,664.83 from Municipal Pipe Tool Co. Upon RCV, MC. M by Hoepfer, MS by Steedsman to approve Moore Engineering Invoice 38909 for \$8107.57 for work on the sewer rehab project. Upon RCV, MC. M by Hoepfer, MS by Baltrusch to approve Moore Engineering Invoice 38910 for \$2250 for capital improvement plan. DWR will cover \$1350. Upon RCV, MC.

JDA REPORT: JDA Director Marchand's report was in the packet for the Council to review. He informed them that we received a grant from the state for the Blight Removal for the house on the point of Brewster St. and 8th Street. The state will cover the demolition and removal of the structure. It will need to be completed within 18 months. Spencer meets every month with the South-Central District Regional Council since he is part of the executive board. He is attending the ND Economic Development Foundation's meeting in July; he has been appointed to the board. Spencer's office hours will be from 4:00 to 6:00 Monday-Friday.

POLICE REPORT: M by Baltrusch, MS by Steedsman to approve the Mayor's appointment of John Foss as the City of Harvey's Chief of Police. Upon VV, MC. He will begin work on August 12th. Nyhus stated that the Council may want to consider organizing a police committee. He would like Chief Foss to reach out to him when he gets settled.

PUBLIC WORKS REPORT: Public Works Director Weinmann's report was in the packet for the Council to review. The Council discussed the curb stop for 1500 Elm Ave. It is currently located inside the building. M by Baltrusch, MS by Hoepfer to move the curb stop into the boulevard with the City, the property owner of 1500 Elm Ave., and the property owner of 1600 Elm Ave. splitting the cost three ways. Upon VV, with Steedsman abstaining, MC. Steve Kourajian would like to remove the handicap parking in front of the old Senior Citizen's Center. M by Prom, MS by Hoepfer to approve. Upon VV, MC. Jamey asked the Council if they would allow the Public Works Dept. to replace their 2005 Colorado with the PD's 2010 Colorado. The consensus of the Council is to decommission the PD's Colorado and add it to the Public Work's fleet. They also discussed putting the PD's Impala out for bid. Pictures of the garbage truck have been sent to Sanitation Products. They will leave the minimum bid at \$130K. M by Steedsman, MS by Susag to approve the recommendations for more actuators, purchasing membranes and replacing a check valve needed at the Water Treatment Plant. Upon VV, MC. The Council would like grass to be planted at the old Napa site once it dries out.

AUDITOR REPORT: Nordby's report and the financials were in the packet for the Council to review. She discussed locking the armory in the evenings until we can get a fully staffed PD. Everyone will do their part.

MINUTES: M by Baltrusch, MS by Hoepfer to approve the minutes of the Regular Council Meeting on June 12th, 2024, and the Special Meeting on July 1st, 2024. Upon VV, MC.

CASH REPORT: M by Hoepfer, MS by Baltrusch to approve the Auditor's Cash Report as submitted with June revenue of \$206,878.49. Upon RCV, MC.

VOUCHERS: M by Baltrusch, MS by Steedsman to approve the vouchers with expenses of 4U Custom Apparel LLC 1415.25, AT&T Mobility 172.19, Bank of ND 8197.46, Bean Counter Café LLC 21585.90, Benco Equip. 1585, Black Mountain Software 100, Canadian Pacific Railway 826.42, City of Harvey 474.93, Comfort Inn 385.20, Core & Main 45.12, Dakota Supply Group 509.22, DJ Schneibel 553.32, Double M Sanitation 22498, Drake Anamoose Summer Rec 200, Electronic Communications 560, Ethan Eckart 320, Guardian Fleet Safety 23245.19, Harvey Park District 2002.19, Harvey Public School 279, HAV-IT Recycling 1250.50, Hawkins Inc. 3076.76, Herald Press 708.49, Hinrich's Super Value 951.22, Interstate Power Systems 366.41, Jacob Goldade 100, Jeff's Key & Lock Repair 142.75, K&S Builders LLC 13811.73, Kevin's Landscaping 1600, Kim Johnson 100, Lauth's Autobody & Towing 433.85, Lemer's Ace 181.46, Main Elec. Const. Inc. 4703.10, Moore Engineering 10357.57, Motorola Solutions 47229.56, ND Rural Water Systems 125, Northern Prairie Mech. 327.30, Nyhus Law Firm 2772.50, One Call Concepts 43.50, Ottetail Power Co. 136.05, Sign Solutions 1397.72, Spencer Marchand 2125, Stichin Sisters 40, Sweeney Controls Co. 140, Top-Notch Outdoor Services 998.34, Tractor Supply Co. 65.96, Trevor Schimke 100, Trifectah Solutions 178.90, Ty Jenner 315, Tyler Eckart 160, Unum Life Ins. 151.55, USPS 287.16, Verizon 255, Vestis 203.65, Visa 20000, and June Payroll \$82,282.92. Upon RCV, MC.

UNFINISHED BUSINESS:

ARMORY UPDATE: Tabled until further discussion can take place.

AMENDMENT OF CHAPTER 11, SECTIONS 11.0106 THROUGH 11.0109: M by Steedsman, MS by Kennedy to accept the second reading and final passage of the Amendment of Chapter 11 to include pigeons. Upon VV, MC. *AN ORDINANCE AMENDING CHAPTER 11, SECTIONS 11.0106, 11.0107, 11.0108 AND 11.0109 OF THE HARVEY CITY ORDINANCES BY AMENDING SAID CHAPTER 11 SECTIONS IN ITS ENTIRETY RELATING TO ANIMALS AND FOWL; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HARVEY, ND CHAPTER 11, SECTIONS 11.0106, 11.0107, 11.0108 AND 11.0109 OF THE HARVEY CITY ORDINANCES ARE HEREBY AMENDED TO READ AS FOLLOWS: SECTION I: AMENDMENT Article: Article 1 – General Regulations Sections: 11.0106 Housing Chapter 11 – Animals and Fowl No person shall cause or allow any stable, cage, or place where any animal or fowl is or may be kept to be unclean, or unwholesome. 11.0107 Keeping of Certain Animals and Fowl Prohibited It shall be unlawful to keep any live sheep, swine or pigs, cattle, horses, donkeys, chickens or other poultry, goats, rabbits, pigeons or other fowl husbandry in the City. This section shall not apply to any person, partnership or corporation keeping or handling such animals and fowl under consignment in the course of regular business or to a licensed livestock auction market, EXCEPT as authorized by the zoning ordinances of the City. 11.0108 Strays It shall be unlawful to permit any cattle, horses, donkeys, sheep, swine, goats, poultry or fowl to run at large in the City; and any such animal running at large in any public place in the City shall be impounded. It shall further be unlawful to picket, tie, or cage any such animal or fowl in any of the streets of the City for the purpose of grazing or feeding. 11.0109 Noises It shall be unlawful to harbor or keep any animals or fowl, which habitually disturbs the peace by loud noises at any time of the day or night. SECTION II: REPEAL. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed. SECTION III: EFFECTIVE DATE. This Ordinance shall become effective upon its passage and publication as required by law. All Ordinances in conflict herewith are hereby repealed.*

NEW BUSINESS:

SPECIAL EVENT PERMIT: M by Baltrusch, MS by Hoepfer to approve the Special Event Permit for the Harvey Area Chamber of Commerce to block off Lincoln Ave., excluding the intersections, for Crazy Days, August 8th & 9th. Upon VV, MC.

LIQUOR LICENSE: M by Baltrusch, MS by Steedsman to approve the Liquor License Application from Anna Mendoza. Upon VV, MC.

PROPERTY BID: M by Steedsman, MS by Kennedy to approve the bid from Nita Pszcolka in the amount of \$2000 for Lot 1 of Block 1 of the Dolens Addition. Upon VV, MC.

COMMITTEE APPOINTMENTS: Board of Adjustments: Bernie Hall and Arnie Selzler/Citizen Input; Mayor Klier, Hoepfer and Susag/Council Members. Planning & Zoning: Jared Hanson & Deb Richards/Citizen Input; Kennedy, Baltrusch & Steedsman/Council Members. Public Works: Mayor Klier, Steedsman & Baltrusch/Council: Brad Schatz & Dave Voeller/Citizen Input. Airport: Mayor Dean Klier/Council; Chairman Shari Nyhus, Sam Ongstad, Dustan & Jereme Buchmiller. Finance: Wyatt Toso/Citizen Input; Mayor Klier, Kennedy & Baltrusch/Council. Personnel: Greg Christenson & Wendy Opp/Citizen Input; Mayor Klier, Prom and Hoepfer/Council. JDA: Chairman Chad Friese, Jared Hanson & Billie Jo Reutter/Citizen Input, Steedsman, Baltrusch, and Kennedy/Council Members with meetings being scheduled the third Tuesday of the month at 7:30 a.m. Library Board: Melissa Faul, Peggy Lemer, Mary Jo Stafford, Baltrusch, Kennedy/Council, and Bryan Lauth/Wells Co. Commissioner. Rec Board: Caitlyn Roemmich, Trista Zerr & Buffy Olson/Citizen Input, Justin Heil/Park Board, Prom/Council. Disaster Readiness: Mayor Klier; Chief of Police, John Foss; Baltrusch & Susag/Council, Tammy Roerich/Wells County Emergency Manager.

COMMITTEE REPORTS:

JDA MINUTES: JDA Minutes from the regular June 18th, 2024, and the special June 27th, meetings were included in the packet for the Council to review.

M by Hoepfer, MS by Kennedy to adjourn meeting. Upon VV, MC.

Dean Klier, Mayor

Karen Nordby, Auditor