

7:30 pm, Wednesday, May 20, 2020, the meeting of the Rolla City Council was called to order by Mayor John Hardy.

Council Members Present via video conference (Zoom): Leonard Lange, Blake Gottbreht, Hovi Mitchell, Rebecca Albert, Kyle Hardy and Paula Wilkie.

Others present via video conference (Zoom): Danielle Mickelson – JDA Director, John Rosinski – TM Star, Jim Olson – AE2S, Jason Strand – AE2S, Abby Ritz – AE2S, Cliff Rush –Public Works Director, Daryl Cameron – Police Chief, Tara Okerson, Hannah Neameyer, and Nathan Neameyer.

Others present: Carolynn Orey – City Auditor

Additions to Consent Agenda: Building Permit: Verlin Allery Jr., Building Permit: Rachel Trottier and Gaming Site Authorization: Munich Area Development Corporation

Consent Agenda

Council Member Lange moved, Council Member Gottbreht seconded, to approve the Consent Agenda. All members on roll call voted “yes”. None voted “no”. Motion carried.

- Minutes: April 15, 2020 City Council meeting
- Minutes: April 15, 2020 Board of Equalization meeting
- Minutes: April 15, 2020 Board of Equalization meeting
- Financial Report – April 2020
- Building Permit: Ashley & Sheryl Aird – Two Decks
- Building Permit: Verlin Allery Jr. – Deck
- Building Permit: Rachel Trottier - Fence
- Sales Tax Grant Application: Rolette County Transit
- Gaming Site Authorization: Dunseith County Betterment
- Gaming Site Authorization: Munich Area Development Corporation
- Rolette County Notices of Foreclosure of Tax Lien

Reading of the Bills

DACOTAH BANK \$1,316.05; AFLAC \$255.74; ND CHILD SUPPORT DIVISION \$763.20;ND PUBLIC EMPLOYEES RETIRMENT \$5,243.11;ND PUB. EMPLOYEE RET. DEF. COM \$62.50; INTERNAL REVENUE SERVICE \$22.96 STARION BANK \$4.00; NORTHERN PLAINS ELECTRIC \$145.86; ND PUBLIC EMPLOYEES RET. INS \$10,870.46; VERIZON WIRELESS \$385.58; PAYMENT SERVICE NETWORK \$105.95; CENEX FLEET CARD \$687.50 BANK OF NORTH DAKOTA \$2,398.24;TURTLE MT. COMMUNICATIONS \$616.16; REVITALIZE ROLLA \$5,000.00; OTTERTAIL POWER CO \$12,579.83; ADVANCED ENGINEERING & ENVIRON \$18,000.00; ANN MILLERBERND \$45.00; BANK OF NORTH DAKOTA \$2,942.92; CENEX FLEET CARD \$533.53; CNH INDUSTRIAL CAPITAL-R.IMP \$84.75;COMPUTER SOLUTIONS \$175.00; ENVIRONMENTAL EQUIP SERVICES \$145.59;FIRST STATE INSURANCE \$1,446.00;GATTKE EXCAVATING \$2,500.00;GIBBENS LAW OFFICE \$302.49;GRAND FORKS UTILITY BILLING \$67.00;Great Plains Structures \$1,500.00;GUSTAFSON OIL \$330.86; HACH \$389.33; HAWKINS INC \$3,587.35; HEALTH CHEMISTRY LAB \$116.52;INFORMATION TECHNOLOGY DEPT- P \$90.65;KURITA AMERICA INC. \$1,205.00;LEGACY COOPERATIVE \$359.58; MEARS AUTO PARTS \$42.94;MICROLAP TECHNOLOGIES \$99.70;MUNRO ACE HARDWARE \$282.15;ND LEAGUE OF CITIES \$230.00;NORTH DAKOTA ONE CALL \$3.60;NORTHERN PLAINS ELECTRIC COOP \$77.34; OTTERTAIL POWER CO \$725.38; POWER PLAN OIB \$2,731.04; ROLETTE COUNTY \$50.00; RURAL DEVLPMT.FINANCE CORP \$5,118.62; STARION BANK \$1.20;THEEL MOTORS \$124.17;TM STAR \$674.56; TUOMALA PLUMBING & HEATING \$2,947.51;VERIZON WIRELESS \$280.38; VISA \$60.91;WESTSIDE CSTORE \$10.00; WM CORPORATE SERVICES, INC \$20,850.14;Cliff Rush \$450.00;TURTLE MT. COMMUNICATIONS \$610.46; Haas Tire \$260.00; Rolla Welding \$95.50; Semi Month-Hourly ACH \$7,197.94; Semi-Monthly- Salary ACH \$7,813.22

Council Member Mitchell moved, Council Member Wilkie seconded, to pay bills as submitted. All members on roll call voted “yes”. None voted “no”. Motion carried.

Engineer Report:

City Wide Utility Improvement Project:

Discussion was held regarding funding for the City Wide Utility Improvement Project. AE2S Financial Analyst, Abby Ritz stated that the City's application to the Bank of North Dakota was denied due to the project dollar amount being too large for a community the size of Rolla. City Auditor, Carolynn Orey will work with AE2S Financial Analyst Abby Ritz to work on the funding for startup grants. Jim Olson, AE2S proposed that the project will be approved if the City chooses to divide the project into three phases. Discussion was held on financing of this project. Jim Olson, AE2S said there will be more details at the public hearing.

Due to COVID-19 regulations relating to large group gatherings, Council Member Gottbreht suggested that the public hearing be held in the gym at Mount Pleasant School in Rolla. City Auditor will make the necessary arrangements with Mount Pleasant School to see if this can be arranged.

A public hearing will be held on Tuesday, June 9, 2020 at 6:30 p.m. at Mount Pleasant School in Rolla for the City Wide Utility Improvement Project.

Old Business

Special Assessments: Paul Munro

Mayor Hardy stated that the former Special Assessments Committee is still reviewing the documents for former Shopko Building. Discussion was tabled until the June 17, 2020 City Council Meeting.

Committee Reports

Administrative

Mayor Hardy stated that he has received complaints about chickens within city limits. The City does not have an ordinance prohibiting residents from having chickens. Mayor Hardy allowed the chickens to remain in city limits until City Council determines the number of chickens allowed in city limits moving forward and a chicken ordinance can be written.

Police Committee

Annual employee performance evaluation was presented for Jayde Slater. Council Member Hardy moved to approve the presented annual employee performance evaluation for Jayde Slater, with the recommended 3% salary pay increase, seconded by Council Member Lange. All members voted "yes". None voted "no". Motion carried.

Police Chief Daryl Cameron presented a letter of recommendation to promote Officer William Poitra to Police Sergeant. Mayor Hardy asked City Auditor Carolynn Orey to research salaries for police sergeants and review the 2020 budget. Discussion was tabled until the June 17, 2020 City Council meeting.

Public Works Committee

Starting June 1st, the inert site will be open one day a week on Saturdays from 10:00 a.m. to 3:00 p.m.

Council Member Gottbreht moved, Council Member Lange seconded, to approve the committee reports. All members on roll call voted "yes". Motion carried.

New Business

Gas Bids

Council Member Lange moved, Council Member Gottbreht seconded, to accept Gustafson's Oil gas bid. All members on roll call voted "yes". None voted "no". Motion carried.

First Reading of Ordinance No. 425 – An Amendment to Zoning Ordinance No. 310

ORDINANCE NO. 425

An Ordinance of the City of Rolla amending in its entirety "Section II. General Provisions" of Ordinance No. 310, a Zoning and Subdivision Ordinance in regards to sub-section H. Conditionally Permitted Uses and "Section V. Administration and Enforcement Subsection B. Planning and Zoning Commission and Subsection C. Board of Adjustments.

BE IT ORDAINED by the City Council of The City of Rolla, Rolette County, North Dakota:

Section II, (General Provisions) of Ordinance No. 310 adopted February 2, 1981, is hereby amended by replacing sub-section H (Conditionally Permitted Uses) in its entirety with the following language:

Applications for approval of a conditional use shall be submitted to the Rolla Planning and Zoning Commission.

The Rolla Planning and Zoning Commission shall hold a public hearing before action is taken on the application for approval of a conditionally permitted use. Notice of said hearing shall be published in the official newspaper of general circulation at least two weeks prior to the hearing.

No application for a conditional use shall be granted unless the Planning and Zoning Commission shall find all of the following conditions present.

1. The conditional use will not be detrimental to or endanger the public health, safety of general welfare.
2. The existing permitted uses in the neighborhood will not be in any way substantially impaired or diminished by the establishment of the conditional use.
3. The conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or being provided.
5. The conditional use shall conform to all applicable regulations of the district in which it is isolated.
6. Based upon their findings of the above listed conditions, the Planning and Zoning Commission shall grant or deny a conditional use.

Section V (Administration) of Ordinance No. 310 adopted February 2, 1981, is hereby amended by replacing sub-section B (Planning and Zoning Commission) in its entirety with the following language:

B. Planning and Zoning Commission

1) Membership:

- a) The Planning and Zoning Commission shall consist of not more than ten members, of the ten members one member shall be a resident living in the one-half mile non-incorporated area. The executive officer, the engineer, and the attorney of the municipality shall be ex-officio members of the commission.

2) Duties Under This Code:

- a) Establish rules and procedures for administrating the Zoning Ordinance.
- b) Hold public hearings on all applications for subdivision plats, amending the "Zoning District Map" and the text of these regulations.
- c) Recommend approval, denial or modification of all applications for amendment after the public hearing to the City Council.
- d) Publish notice of the public hearings in the official municipal newspaper of general circulation at least two weeks prior to the said hearing.
- e) Initiate and review from time to time a study of the provisions of these regulations and make recommendations to the City Council.
- f) Review, update and implement the Rolla Comprehensive Plan.
- g) May issue a variance only as permitted in the Ordinance.
- h) May issue conditional use permits as permitted in this ordinance.

Section V (Administration) of Ordinance No. 310 adopted February 2, 1981, is hereby amended by replacing sub-section C (Board of Adjustment) in its entirety with the following language:

C. Board of Adjustment

1) Membership

- a) The Board of Adjustment consisting of five members shall be appointed by the City Council in accordance with the provisions of Chapter 40-47-07 of the North Dakota Century Code. The appointing authority may remove any member of the Board for cause after a hearing.

2) Duties Under This Code:

- a) Hear the appeal of any person, firm, or organization aggrieved by the decision or ruling of the code administrator. The code administrator shall transmit to the Board of Adjustment all records on which his decision was based.
- b) Fix a reasonable time for the hearing of the appeal and publish notice of said hearing in the official municipal newspaper of general circulation at least two week prior to the hearing.
- c) Hear and decide appeals where there is allegedly errors in the administration of the ordinances.
- d) Hear and decide on variance from these regulations as will not be contrary to the public interest, where the literal enforcement of the regulations will result in undue hardship to an

individual, family or business. The concurring note of the majority shall uphold or reverse the order or decision of the Code Administrator. The Board shall record the grounds for its decision.

Section 1: Repeal of Ordinances in Conflict. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 2: Effective Date. This Ordinance shall be in full force and effect from and after final passage.

First Reading: May 20, 2020

Second Reading/Approved: June 17, 2020

John Hardy, Mayor

Attest:

Carolynn Orey, City Auditor

Council Member Gottbreht moved, Council Member Lange seconded, to approve the first reading of Ordinance No.425. All members on roll call voted "yes". None voted "no". Motion carried.

There being no further business, Mayor Hardy adjourned the meeting at 9:48 p.m.

The next scheduled special meeting of the City Council is Tuesday, June 9 2020 at 6:30 p.m.

John Hardy, Mayor

ATTEST:

Carolynn Orey, City Auditor
Dated 05/26/2020