

**CITY OF KENMARE**  
Council Proceedings  
Minutes Pending Approval  
January 11, 2023

**Call to Order:**

Mayor Arlen Gartner called the regular meeting of the Kenmare City Council to order at 7:03 PM.

**Council Members present as follows:**

Roll Call: Jim Burud, Duane Dockter, Justin Patterson, Tammy Knutson, Terese Schmidt, Miles Mibeck

Also Present: Mark Staskywicz, Michelle Stark, Allen Hall, Kinzie Jensen Opdahl, Amy Ones, Doug Diedrichsen, Josh Reiner

The meeting began with the Pledge of Allegiance.

**Mayor Report:**

Legislation – HB 11229: There is currently legislation to decrease the costs of political subdivision audits. Please reach out to your legislators to encourage this.

Ward County Property: Ward County has agreed to sell Kenmare parcel # KM200062000050 (Tolley's Plat Lots 4 & 5 BLK 20) previously known as the Olsen apartments, this is contingent on the property being used for parks and rec purposes. Ward County will be working on paperwork etc., Mayor Gartner will reach out for more details.

Equalization meeting is set for April 5, 2023, at 7:00 p.m., it will be an additional council meeting, and will be via conference call.

**Engineer Report:** by Josh Reiner, from Moore Engineering.

Sewer: J. Reiner. presented reports and information regarding sewer scoping/televising to properly maintain and map the City's sewer system. Discussion of costs, grants, and timeline. There is time before Kenmare needs to officially vote so Council would like to receive quotes from companies on costs before approval.

Priorities: Moore Engineering sees the Utilities of the City of Kenmare as the priority and will be working with Kenmare to make sure those are in good working order first. Second priority will be streets.

SRF (State Revolving Fund): J. Reiner recommended that the city complete a new SRF questionnaire which is required to determine project eligibility by NDDOEQ.

**MOTION** by J. Burud to complete and submit the SRF questionnaire by Moore Engineering. Seconded by M. Mibeck. **All in favor, motion carried.**

Tower: Discussion of the water tower cathodic system. J. Reiner recommends examining the system and getting quotes before deciding if it should be re-installed. M. Staskywicz said there was an inspection by Corpro on the water tower on file, he will send this to J. Reiner for review.

ARPA: Discussion of ARPA funds the city was previously granted. Funds were insufficient for the designated generator project so Kenmare will be returning their funds. However, Kenmare

would like to be considered for other projects as money returns to the Ward County. J. Reiner will check on this possibility for the city.

**Planning and Zoning:**

Rezoning: Doug Diedrichsen, Zoning Administrator, presented a memo prepared for and approved by the Planning and Zoning Commission regarding Parcels KM20099U100000 & KM2009U090000 (aka the High-Octane Bullseye Café Property). The rezoning would be to return the converted home from a commercial café back to a residential single-family home with an accessory building.

**MOTION** by M. Mibeck to pass the first reading of the rezoning of Parcels KM20099U100000 & KM2009U090000 to residential, with notice being published in the official newspaper of the public hearing, and second reading of the rezoning scheduled to take place during the regularly scheduled council meeting in February 2023 - contingent upon the owners paying for all publication costs for the meeting. Seconded by D. Dockter. **All in favor, motion carried.**

Building Code Updates: Ward County has adopted the 2021 building codes of North Dakota. D. Diedrichsen will review the city ordinances to discern if Kenmare Ordinances say that codes will be automatically adopted or if the council will need to vote on changing from 2018 codes to 2021 codes.

**MOTION** by J. Burud to approve the minutes from the regular December 2023 City Council Meeting. Seconded by D. Dockter. **Roll Call Vote. All in favor, motion carried.**

Deputy Auditor M. Stark requested council approval to move the city financials from QuickBooks online to QuickBooks desktop. This will allow Amy Ones to better help the City get their books set up for ease of accounting. Amy will prepare the program and financial records for the Auditor to utilize and assist in the maintenance of the same.

**MOTION** by J. Burud to allow the Auditors office to change to QuickBooks Desktop. Seconded by M. Mibeck. **All in favor, motion carried.**

**MOTION** by T. Knutson to table the December financials. Seconded by J. Burud. **All in favor, motion carried.**

**MOTION** by J. Burud to approve the transfers from the Sales Tax account to the general checking for the monthly Fund ITT & Rec disbursements to be cut as a check to both entities. Seconded by M. Mibeck. **Roll Call Vote. All in favor, motion carried.**

**MOTION** by M. Mibeck to Designate the State Bank and Trust of Kenmare as the depository of the public funds of the City of Kenmare. Seconded by D. Dockter. **Roll Call Vote. All in favor, motion carried.**

**MOTION** by M. Mibeck to approve the liquor license transfer application for Beer Bob's to the Memorial Hall for the SunDawgs fundraising event to be held on March 11, 2023. Seconded by J. Patterson. **All in favor, motion carried.**

**MOTION** by J. Burud to designate Allen Hall as the City of Kenmare PIO (Public Information Officer) for the Ward County Hazard Mitigation Plan. Seconded by T. Knutson **Roll Call Vote. All in favor, motion carried.**

**MOTION** By D. Dockter to approve the Fund ITT Annual Report as presented. Seconded by M. Mibeck.

**Roll Call Vote. All in favor, motion carried.**

**Committee Reports:**

Water-Sewer Committee: T. Schmidt reported that the previously scheduled meeting was canceled due to water breaks. There will be a meeting soon to review the current rates.

Streets-Walks-Alleys-Lights Committee: T. Schmidt reported that public works has been doing a great job getting things cleared quickly and no breaks. Park board paid to have the walking path opened.

Health and Beautification: M. Mibeck reported no meetings. Mayor Gartner asked that trees be on future agendas.

Landfill-Grounds: M. Mibeck reported that the committee would like to leave the permitting on the south landfill for the time being.

Buildings-Facilities-Equipment: J. Burud reported no meetings.

Personnel-Ways-Means-Finance:

**MOTION** by J. Burud to offer Michelle Stark, current deputy auditor, the position of Interim Auditor until she completes the ND League of Cities Auditor Certification, and at such time she will become the City Auditor. And upon offer and acceptance by Michelle, make the Auditor a salaried position at \$45,000 annually, with a raise of \$2,500 to that annual rate after 3 months and another raise of \$2,500 to that annual rate upon completion of the ND League of Cities Certification. Seconded by D. Dockter. **Roll Call Vote. All in favor, motion carried.**

Michelle Stark accepted the position as Interim Auditor, with the offered conditions.

**MOTION** by J. Burud to make Michelle Stark's acceptance and pay retroactive to January 1st, 2023, with no comp time accrual. Vacation & Sick Leave will continue to accrue at the current rate. Seconded by J. Patterson. **All in favor, motion carried.**

**MOTION** by J. Burud that the position of Deputy Auditor become a part time position at 25-30 hours per week, with pay dependent upon experience, and advertise for the position. Seconded by M. Mibeck. **Roll Call Vote. All in favor, motion carried.**

**MOTION** by J. Burud that the position of Clerk of Court be offered to Kinzie Jensen Opdahl, for a few more months with an increase in pay to \$500/month contingent on Opdahl's acceptance. Seconded by D. Dockter. **All in favor, motion carried.**

J. Burud reviewed the previous council decision to change the office hours to 8:30 am – 1:00 pm. The council agreed to retain those hours, that when the Auditor's office can use their discretion on the matter, and that those hours can be posted on the Hall door as well as an Ad in the newspaper to inform the residents.

**MOTION** by J. Burud to change Chief Hall's position to a salaried position with an annual salary of \$70,000 with no comp time accrual. Vacation & Sick Leave will continue to accrue at the current rate. Seconded by D. Dockter. **Roll Call Vote. All in favor, motion carried.**

**MOTION** by J. Burud to change Public Works Supervisor Mark Staskywicz to an hourly rate of \$28.00 with approved/emergency overtime paid out, with no comp time accrual. Vacation & Sick Leave will continue to accrue at the current rate. Current comp time will be paid out to a zero balance. Seconded by M. Mibeck. **Roll Call Vote. All in favor, motion carried.**

**MOTION** by J. Burud to make changes to the payroll of A. Hall and M. Staskywicz retroactive to January 1st, 2023. Seconded by T. Knutson. **All in favor, motion carried.**

**MOTION** by J. Burud to advertise for the position within Public Works Department. Seconded by D. Dockter. **Roll Call Vote. All in favor, motion carried.**

**MOTION** by M. Mibeck to have Mark Staskywicz take the 44-40 John Deere tractor to Gooseneck in order to get an approximate value and go through it to make sure it is in good working order. Seconded by J. Burud. **Roll Call Vote. All in favor, motion carried.**

**MOTION** by M. Mibeck that the council pay to Ankenbauer Dray \$21,882.36, which includes the work completed for November, December, and all past due balances on city accounts for garages, and an additional contract payout for the month of January in the amount of \$5,000. Seconded by D. Dockter. **Roll Call Vote. All in favor, motion carried.**

**MOTION** by J. Burud to refund the balance on the refuge account for garbage services, by check, to the Refuge in the amount of \$480.00. Seconded by J. Patterson. **Roll Call Vote. All in favor, motion carried.**

#### **Staff Reports:**

Public Works Supervisor, Mark Staskywicz, reported water breaks at the Food Pantry and another break at the Austin Nyhof property requiring the replacement of the curb stop. There was also a clogged pipe due to a RV hose being stuck in the line, clog was removed and discovered a pipe that is encroaching on the main. Josh Reiner with Moore will work with M. Staskywicz to find out if the scoping company will be able to auger that encroaching pipe out. Dylan Williams will be going to training for landfill certifications. M. Staskywicz requested authorization to attend the Water Expo for training and certification points. North Dakota Rural water will help by reimbursing training costs.

**MOTION** by T. Schmidt to authorize M. Staskywicz to attend the Water Expo. Seconded by M. Mibeck. **Roll Call Vote. All in favor, motion carried.**

M. Staskywicz also reported that the lift station pump keeps kicking out and will need to be looked at.

Streets Supervisor, Dylan Williams, reported training on the blade with all the snow removal, working more with the gate, opening the landfill for various individuals, widening roads, and snow removal.

Mayor Gartner expressed his thanks and appreciation to the public works department for keeping the roads clear and in good shape.

Interim Auditor, Michelle Stark, reported on discussion with Kinzie Jensen regarding pay and payouts moving forward. M. Stark requested a motion for the payout of Kinzie Jensen's Comp and Vacation time, and to move Jensen to a part time, as needed, paid position.

**MOTION** by J. Burud to change Kinzie Jensen to a part time hourly base rate up to 32 hours per week. Seconded by M. Mibeck. **Roll Call Vote. All in favor, motion carried.**

**MOTION** by M. Mibeck to payout Kinzie Jensen's Comp and Vacation time. Seconded by J. Patterson. **Roll Call Vote. All in favor, motion carried.**

Chief of Police, Allan Hall, reported that the new police cruiser is done and will be delivered to Nelson Automotive within the week. Chief Hall reviewed the dramatically increased police stats for call outs. Chief Hall requested the new batteries for the police department AED devices be purchased with City sales tax funds designated to Health and Wellness.

**MOTION** by M. Mibeck to pay for the new police department AED devices' batteries with City sales tax funds designated to Health and Wellness. Seconded by T. Knutson. **Roll Call Vote. All in favor, motion carried.**

**MOTION** by J. Burud to approve bills. Second by Dockter. **Roll Call Vote. All in favor, motion carried.**

T. Schmidt moved to adjourn, second by M. Mibeck. Motion carried.

Meeting adjourned at 8:53 PM.

Next regular meeting is scheduled for February 8th, 2023, at 7:00 PM at Kenmare City Hall.

Minutes are subject to approval & revision of the City Council.

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Auditor

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Mayor

| <b>Approved Bills:</b>                            | <b>Amount</b>       |
|---|---------------------|
| Amy Ones - Ones Consulting                        | \$1,575.00          |
| Ankenbauer Dray                                   | \$21,882.36         |
| Burke Divide Electric Company                     | \$1,559.99          |
| Clover  | \$14.95             |
| Farden Construction                               | \$477.00            |
| Farmers Union Hardware                            | \$55.47             |
| Farmers Union Lumber                              | \$203.72            |
| Farmers Union Oil. Co                             | \$4,323.25          |
| Farmers Union Oil. Co - Police                    | \$602.96            |
| Fiesel Law, P.C.                                  | \$510.84            |
| First District Health                             | \$25.00             |
| First Net - AT&T                                  | \$315.58            |
| Fredrickson & Byron P.A.                          | \$4,387.50          |
| Fund ITT  | \$13,993.34         |
| Gustafson Septic                                  | \$1,510.00          |
| Jerry's Transfer Service                          | \$24.00             |
| John Deere Financial                              | \$1,569.31          |
| Kenmare News                                      | \$283.19            |
| Kenmare Park District - City Sales Tax            | \$1,865.78          |
| Kenmare Park District - State Aid                 | \$885.30            |
| Maxson Law Office                                 | \$675.00            |
| MDU   | \$3,830.77          |
| ND - Department of Water Resources                | \$8,105.19          |
| ND - North Dakota Info. Tech.                     | \$67.90             |
| Nore's Auto & Trailer Sales                       | \$432.50            |
| North Country Mercantile                          | \$177.38            |
| One Call Concepts                                 | \$13.75             |
| ProSource Cleaners                                | \$240.00            |
| Refund - Des Lacs Ntnl. Refuge - garbage          | \$480.00            |
| RTC   | \$745.58            |
| Shazam (approximate bill)                         | \$275.00            |
| USPS (utility cards)                              | \$155.32            |
| Visa - Auditor                                    | \$1,133.51          |
| Visa - Police Dept.                               | \$4,016.99          |
| Waste Management                                  | \$4,600.02          |
| Western Equipment Finance                         | \$471.36            |
| Gross Payroll & Employer Contributions (12/23/22) | \$12,863.27         |
| Payout for Mark S. Comp time. (207 hours)         | \$5,320.64          |
| Gross Payroll & Employer Contributions (1/6/23)   | \$11,926.27         |
| Payout for Kinzie Comp & Vacation (448 hours)     | \$9,994.01          |
| <b>Total Bills:</b>                               | <b>\$121,589.00</b> |