

City of Buxton
Meeting Minutes
July 10, 2024 @ 7:00 PM
Buxton Fire Hall

Present: Travis Soderberg, Jeff Siewert, Keaton Flanagan, Ben Hershey, Cole Short and James Maertens

Recording: Jackie Siewert, Auditor

Meeting called to order by Mayor Travis Soderberg

Meeting minutes from the June 12, 2024 meeting were read. A correction was made to the month that the Buxton Big Day was held. Buxton Big Day was held June 22, 2024 and not January 22, 2024. Motion to approve the minutes with the Buxton Big Day date change was made by Keaton Flanagan, seconded by Jeff Siewert; motion passed unanimous.

The following bills were presented for payment:

Direct	Waste Management	\$4318.42
Direct	Xcel Energy	\$1050.06
Direct	US Treasury	\$904.22
12997	Ben Hershey	\$253.96
12998	C and C Excavating LLC	\$769.30
12999	East Central Regional Water Dist	\$246.54
13000	Farmers Union Oil	\$129.88
13001	Full Service Insurance Agency	\$200.00
13002	Hillsboro Banner	\$224.00
13003	Midco	\$49.20
13004	ND League of Cities	\$620.00
13005	Nilson Brand Law	\$1362.00
13006	S&L Computer Service	\$1621.00
13007	Thomas Moe	\$150.00
13008	True North Equipment	\$180.04
13009	Vector Disease Control	\$645.00
13010	Trall County Auditor	\$750.00
13011	Team Lab	\$1690.11
13012	Holly Aamold	\$253.96
13013	Jaqueline Siewert	\$1385.25
13014	Jeff Siewert	\$253.96
13015	Keaton Flanagan	\$253.96
13016	Travis Soderberg	\$1154.37
13017	Xcel Energy	\$21.55

Jeff Siewert motioned to approve the bills, Ben Hershey seconded the motion; motion passed unanimous.

Jackie Siewert, city auditor, did not have a current year to date budget review.

Mayor Soderberg advised the council that that Jeff Siewert and Keaton Flanagan have officially both been both re-elected to the Buxton City Council to each serve another 4-year term. The measure to dissolve the Buxton Park Board into the city has also officially passed.

Mayor Soderberg advised the council that some work has been done at 317 Broadway. Mayor Soderberg was notified by an adjoining business that roof material was hitting their building. Mayor Soderberg called Mr. Reidhammer and asked him to be more cautious in removing material from the roof as some materials were hitting a neighboring business. Mayor Soderberg also asked if he had read the notice of demolition that he had received. He advised him to read it with his lawyer knowing that the deadline to appeal was July 12, 2024. Mr. Reidhammer continues to feel that the city is bullying him. City attorney, Cassie Tostenson, has not received any word either. We will wait for the advisement of our attorney prior to proceeding forward whether an appeal is filed or not.

Mayor Soderberg advised the council that he had received the amended addendum to the Midco franchise agreement which includes the easement. The agreement also went from a 15 year agreement to a 10 year agreement per Midco's request. Mayor Soderberg read it as follows:

**AN ORDINANCE TO AMEND THE
MIDCONTINENT FRANCHISE AGREEMENT**

WHEREAS Midcontinent Communications (“Midco”) holds a communications franchise (“Franchise”) for the construction and operation of a communications system within the City of Buxton, North Dakota (“Grantor”); and
WHEREAS, the Franchise expires on or about September 20, 2024; and

WHEREAS, Grantor and Midco have mutually agreed to extend the term of the franchise by adopting this Ordinance Amendment No. 1 (“Amendment”) and to make such other changes as are mutually agreed upon herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF BUXTON, NORTH DAKOTA:

1. The term of the Franchise in Section 4. Term of Franchise is hereby amended to read the Franchise shall be in effect from September 21, 2024, through midnight of September 21, 2034.
2. The Effective Date of this Amendment shall be September 21, 2024.
3. Section 4(o), shall be deleted, and the following shall be inserted:

Operator shall at all times maintain a public facing website containing a schedule setting forth rates and charges to be made to subscribers for basic cable service, including installation charges.

4. Section 4(q), shall be created, and the following shall be inserted:

Restoration of Public Ways. If in connection with the construction, operation, maintenance, or repair of the Cable System, the Grantee disturbs, alters, or damages any Public Way, the Grantee shall at its own cost and expense replace and restore any such Public Way to a condition reasonably comparable to the condition of the Public Way existing immediately prior to the disturbance.

5. Except as expressly modified herein all other terms and conditions of the Franchise shall remain in full force and effect. Neither party waives any rights it may have pursuant to applicable law.

Ben Hershey made a motion to approve the addendum to the Midcontinent Communications Franchise Agreement; Jeff Siewert seconded the motion; motion passed unanimous

Mayor Soderberg suggested to the council that we look into hiring a part-time employee that can be a backup and also assist Steve Larson with the mowing and the trimming. The council agreed that the pay would be \$16/hour and the employee would be paid monthly. Age requirement was questioned. Jackie Siewert, city auditor, said that she would reach out to Eric Gunderson, insurance agent, for any age limits on our coverage.

Jackie Siewert, city auditor, advised the council that she was asked by the county auditor office if the city requires that property taxes be paid prior to issuing a liquor license. Many cities in Traill County have it included as a requirement for obtaining a liquor license. Currently the city only requires the city garbage/sewer bills be paid in full. It was questioned if it would be fair to the bars since we could not make that requirement for any other businesses. Keaton Flanagan made a motion to table the discussion of requiring property taxes to be paid in order to obtain a liquor license; Jeff Siewert seconded the motion; motion passed unanimous.

Mayor Soderberg advised the council that Jet-Way will be in town to blast a mineral deposit that was found from a previous inspection on Neill Street between Pacific and Elizabeth.

Jackie Siewert, city auditor, advised the council that the budget is due by August 10th. She handed out the June budget comparison. The council reviewed and discussed 2024 budget numbers and noted several adjustments for the 2025 budget. Jackie Siewert will prepare a preliminary budget. Mayor Soderberg advised the council that a special meeting will be held to further discuss and approve the budget August 7, 2024 at the Buxton Fire Hall at 7:00pm.

Jackie Siewert, city auditor, advised the council that she has received the city’s new laptop. She also stated that the upgrade from Quickbooks desktop to Quickbooks online caused some initial issues with the upgrade but slowly working through them. There is still currently not an active payroll due to an error on Quickbooks end.

Mayor Soderberg advised the council that Buxton Big Day was a success. Thank you once again to the Buxton Improvement Group for their hard work for a great day!

Mayor Soderberg advised the council that the Burley’s Tree Service did a great job with the Buxton tree clean-up and removal. Steve Larson was very impressed and it helps with the ease of mowing. Mayor Soderberg extended a big thank you to Dan Fuglesten for initiating the project and the Moch family for trimming up the evergreen branches and clean-up.

Mayor Soderberg advised the council that the tree pile has gotten quite large. We are currently waiting on the approval of a burn permit.

Mayor Soderberg advised the council that a new door for the trailer court water shed has been ordered from Lumber Mart. Terry Thoreson has also agreed to install the door.

Jackie Siewert, city auditor, advised the council that a letter was received from the Division of Waste Management that an unannounced routine inspection of the landfill was conducted on May 8th, 2024. There were no deficiencies noted and Buxton Inert Waste Landfill is in compliance with the ND Solid Waste Management Rules.

Jackie Siewert, city auditor, advised the council that she had received information from John Deere in regards to an update to the warranty. Mayor Soderberg clarified that it was an emissions warranty information update notification.

Jackie Siewert advised the council that notices have been received from Xcel Energy in regards to the installation of new meters for the city.

Ben Hershey asked for a reminder to the residents to keep their lawns mowed and weeds trimmed for mosquito control.

Mayor Soderberg advised the council that the city mower's fuel tank was accidentally punctured. True North is picking it up tomorrow to conduct the necessary repairs.

Mayor Soderberg also wants to make a call out to all residents, if anyone has any ideas how we can improve our community he encourages them to reach out to Mayor Soderberg or any council members.

Mayor Soderberg confirmed that a special meeting for discussion of the 2025 budget will be held August 7, 2024 at 7:00pm at the Buxton Fire Hall.

Mayor Soderberg confirmed that the next city council meeting will be held on August 14, 2024 at the Buxton Fire Hall at 7pm.

Jeff Siewert made a motion to adjourn; Ben Hershey seconded the motion; motion passed unanimous.

City Auditor

Council Member

Mayor