

City of Buxton
Meeting Minutes
June 12, 2024 @ 7:00 PM
Buxton Fire Hall

Present: Travis Soderberg, Jeff Siewert, Holly Aamold, 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 May 8, 2024 meeting were read. Motion to approve the minutes was made by Jeff Siewert; seconded by Holly Aamold; motion passed unanimous.

The following bills were presented for payment:

Direct	Waste Management	\$4318.42
Direct	Xcel Energy	\$1039.88
12986	A2Z V Road Blading	\$510.00
12987	East Central Regional Water Dist	\$269.33
12988	Farmers Union Oil	\$211.42
12989	Hillsboro Banner	\$278.40
12990	Midco	\$49.20
12991	Nilson Brand Law	\$990.50
12992	Thomas Moe	\$150.00
12993	Waste Management	\$1078.05
12994	Jaqueline Siewert	\$1385.25
12995	Traill County Equalization	\$7005.00
12996	Xcel Energy	\$21.49

Keaton Flanagan motioned to approve the bills, Holly Aamold seconded the motion; motion passed unanimous.

Jackie Siewert, city auditor, presented the council with the 2024 year to date budget comparison.

Mayor Soderberg advised the council that although official word hasn't been received it appears that Jeff Siewert and Keaton Flanagan have 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 passed. Mayor Soderberg reiterated that the Buxton Park Board is still active through the end of the year. He also stated that we have six months to get a handle on the the park board's expenses and what to budget and establish a park board committee. Jackie Siewert, city auditor, asked Ben Hershey, park board treasurer, if possible to get her total expenses for the last three years to help with the upcoming budget for 2025.

Mayor Soderberg advised the council that since the "show cause" hearing that was held May 15, 2024 for the property at 317 Broadway there has been no additional work or clean-up done. Mr. Reidhammer had attended the hearing and stated that he was going to begin work on the building. Cassie Tostenson, city attorney, drafted an order of demolition. Mayor Soderberg read it as follows:

**BEFORE THE CITY COUNCIL
OF THE CITY OF BUXTON, STATE OF NORTH DAKOTA**

In the Matter of the)	
Dangerous Buildings Located)	
At 317 Broadway Street, Buxton,)	FINDINGS OF FACT,
Traill County, North Dakota.)	CONCLUSIONS OF LAW,
)	ORDER FOR DEMOLITION
)	

PROCEDURAL HISTORY

[¶1] The attorney for the City of Buxton, Cassie Tostenson, was contacted to proceed with legal remedies regarding a dangerous building located at 317 Broadway St, Buxton, ND (hereinafter "the property"). On August 11, 2023, Ms. Tostenson mailed to Dennis Riedhammer and Riedhammer Masonry a letter via USPS wherein the violations of the Ordinances of the City of Buxton Chapter 12 Articles 4 and 6 were addressed. A copy of the respective ordinances was attached to the August 11, 2023 letter for Mr. Riedhammer's records. A phone call between Mr. Riedhammer and Ms. Tostenson was had on September 11, 2023, during which Mr. Riedhammer indicated he was soon to begin restoration or salvage operations of the property to comply with the Ordinances of the City of Buxton Chapter 12 Articles 4 and 6.

[¶2] At the City of Buxton council meeting on March 20, 2024, council adopted a resolution setting a Show Cause hearing. The resolution was then adopted, and notice was sent via certified mail to Mr. Riedhammer on March 25, 2024. The same was published in the Hillsboro Banner on April 19, 2024.

[¶3] A Show Cause hearing on the proposed demolition of the property took place on May 15, 2024, at 7:00 PM in the City of Buxton at the Buxton Fire Hall where the city approved the condemnation of the property.

FACTUAL HISTORY

[¶4] After receiving the initial letter from Ms. Tostenson, Dennis Reidhammer contacted Ms. Tostenson and indicated he had intentions of restoring or salvaging the property. After months of no communication nor any progress being made at the property, the City of Buxton commenced the above captioned matter.

FINDINGS OF FACT

[¶5] The following findings have been made regarding the property located 317 Broadway Street, Buxton, North Dakota:

1. That a Show Cause hearing was scheduled and was conducted on May 15, 2024. Notice of said hearing was affixed to building located at 317 Broadway Street, Buxton, North Dakota; the notice of hearing was published in the Hillsboro Banner as required by law; and that the owner of the property as listed on the tax rolls was served the notice of hearing via certified mail to Dennis Riedhammer, 1326 S 19th St, Grand Forks, ND 58201.
2. At the hearing, City Council reviewed previous notices sent to Mr. Riedhammer advising of violations of city ordinances Chapter 12 Articles 4 and 6, and demanding that the nuisances be abated. They also reviewed photographs of the building's condition. Mr. Riedhammer also addressed the council stating that he needed more time to make the corrections.
3. The property and building are unsafe, unsanitary, and dangerous to the health, morals, safety, and general welfare of the people in the City of Buxton pursuant to the Ordinances of the City of Buxton Chapter 12 Articles 4 and 6 and Chapter 10 Article 4.
4. The doors, windows, and roof of the building are not adequately closed, secured, or maintained. Walls and roof remain open, and the building exposed for entrance by wildlife and vermin. Ordinances of the City of Buxton Chapter 10.
5. The property is unsafe, unsanitary, and dangerous to the health, morals, safety, and general welfare of the people in the City of Buxton pursuant to the Ordinances of the City of Buxton Chapter 12.
6. The property has not been restored to a proper condition and is considered a nuisance.

CONCLUSIONS OF LAW

[¶6] Consistent with the provisions in the Chapter 10 Article 4 of the Ordinances of the City of Buxton, on Dangerous Buildings, the building located at 317 Broadway Street, Buxton, North Dakota, has been deemed dangerous, and as such, shall be demolished by the City of Buxton, or a contractor designated by the City of Buxton with the costs of said demolition being assessed against the subject real estate.

ORDER

[¶7] It is therefore ordered by the Mayor of the City of Buxton, upon approval of the City Council of the City of Buxton, and following the Show Causing hearing held at 7:00 p.m. on May 15, 2024, that the subject property be deemed a dangerous building and as such, demolished no earlier than 30 days after the date of the Order at the direction of the City of Buxton.

Mayor Soderberg advised the council that the city would initially pay for the demolition. The cost would then be assessed to the property owner's taxes. Kids have been entering the building and it will be just a matter of time before someone gets hurt. Holly Aamold made motion to approve the order of demolition for the building located at 317 Broadway; Jeff Siewert seconded the motion. Upon a roll call vote. Ayes: Jeff Siewert, Keaton Flanagan, Holly Aamold, Ben Hershey. Nays: None. Absent: None. Motion carried. Jackie Siewert will forward the signed order to city attorney, Cassie Tostenson.

Mayor Soderberg advised the council that in discussion with Cassie Tostenson, city attorney, in regards to Midco franchise agreement we are currently receiving a 3% franchise fee. The city can ask for up to 5% under FCC rules. Mayor Soderberg prefers to keep it at the 3%. He stated that Midco is good in supporting the community. The council agreed. A restoration clause will be added to the franchise agreement stating that if in the event of any Public Way is altered or damaged by any work of Midco that they would have to at their own cost and expense restore the Public Way to a condition reasonably comparable to the condition of the Public Way prior to the disturbance.

Mayor Soderberg advised the council that he was contacted by Dan Fuglesten. Dan stated Burley's Tree Service is in town doing some work for a few residents and asked if the city would like a quote to clean up the trees on Broadway. Burley's Tree Service quoted the city \$2300 for the removal of four trees and trimming of six others. Keaton Flanagan made a motion to accept the estimate of \$2300 for the tree removal and trimming of trees along Broadway; Holly Aamold seconded the motion; motion passed unanimous. Mayor Soderberg also advised the council that Central Valley Bean wants to donate trees to be planted at various locations along Broadway and that the Soderberg family is going to donate a Christmas tree to be planted east of the intersection at Pacific and Broadway. Ben Hershey inquired if there was a plan for the trees along Broadway. The Buxton Improvement Group may also be interested in donating some trees. Mayor Soderberg and Dan Fuglesten are still working on a plan for the trees and will update the council at future meetings.

Jackie Siewert, city auditor, advised the council that a thank you letter was received from the Central Valley post-prom.

Keaton Flanagan inquired if the back-up generator is self-testing. Mayor Soderberg confirmed that it runs every Sunday. It will notify us if service is needed. There is a red light on the side that will also light up signalling a problem.

Mayor Soderberg reconfirmed that Buxton BIG Day is January 22, 2024.

Jackie Siewert, city auditor, presented the council with two quotes for a new laptop. She received quotes from Best Buy and S&L Computer Services. Best Buy laptop quotes were \$929.99 and \$1009.99. S&L Computer Services quote was \$1810 which included the laptop and the labor to configure and transfer data. S&L Computer Services also included a quote for offsite remote backup. It would be \$75/month for 51-100GB or \$140/month for 101-250GB. We currently fall in the \$75/month range. Jackie also stated that the current version of Quickbooks is no longer supported. To update Quickbooks it is now an annual fee. Mayor Soderberg calculated that it would be an annual cost of \$2430 for Quickbooks, offsite backup and antivirus protection. The current laptop was purchased in 2018 along with 2018 Quickbooks Desktop Pro. Keaton Flanagan made a purchase the laptop and additional services to include offsite remote backup through S&S Computer Services and Quickbooks annual fee; Jeff Siewert seconded the motion; motion passed unanimous.

Jackie Siewert advised the council that she had received a letter from ND State Fire & Tornado advising of a minimum 25% rate increase.

Jackie Siewert advised the council that she received a complaint from resident of an unkempt yard in which she notified Mayor Soderberg. He drove past the yard and stated that there weren't any ordinance issues.

Mayor Soderberg advised the council that Central Valley Bean purchased gravel for Valiant Road. They requested that the city purchase gravel for the other two surrounding roads. It will take approximately three loads.

Mayor Soderberg advised the council that the door on the water shed needs to be replaced. Travis will reach out to Terry Thoreson to see if he would be interested in installing the new door.

Mayor Soderberg confirmed that the next city council meeting will be held on July 10, 2024 at the Buxton Fire Hall at 7pm.

Holly Aamold made a motion to adjourn; Jeff Siewert seconded the motion; motion passed unanimous.

City Auditor

Council Member

Mayor