

CITY COUNCIL MINUTES
Regular Meeting of the Harwood City Council
Wednesday, October 1, 2008

Mayor Rohrich called the regular council meeting to order at 7:00 p.m. in City Hall. The Pledge of Allegiance was recited. Present for roll call was council members, Lori Peyerl, Jim Gadberry and Mark Riley. Dennis Domier was unable to attend. Also present were Jennifer Spiesz, Kim Heim, Gerry Gwost, Tom Linnertz, Mark McAllister, Gene Johnson, PWS Bernie Stasch and Auditor Sherry Morris.

It was moved by Lori Peyerl and seconded by Jim Gadberry to approve the October agenda.

Mark Riley made motion with second by Jim Gadberry to approve the consent agenda: (1) Reading of the September 8th and September 17th meeting minutes; (2) September financial report; and, (3) October invoices, debits & check #13307- 13361 totaling \$48,642.37

Due to work conflicts, Deputy Chris Fix was unable to attend and the law enforcement report was tabled.

The city agreed to allow the use of the city's projector by the Community Center for the upcoming Family Movie Night scheduled for November 2nd.

Jennifer Spiesz asked on behalf of Miller's Hideout the status of moving the utility pole in their parking lot. Last the city heard Cass County Electric agreed to move the pole. A Midcontinent cable box is in the same area that would also need to be relocated. Cass County Electric will be contacted to inquire about their plans and schedule.

Reed Township Chairman Mark McAllister approached the council for clarification on the culvert, permit request, ownership of the road, and whether the matter is in Harwood's jurisdiction. It was confirmed the culvert site is in Harwood's extra-territorial jurisdiction in which Harwood controls flood permits. Reed Township said the culverts were installed to alleviate pressure on 57th St. where floodwaters have come faster since the road that used to act as a buffer and serve as a dike was removed by the landowner to the east. They stated the plan is to raise the road 5" to 14" from Lake Shure toward Harwood in an attempt to relieve the pressure and keep the road from washing out to allow Lake Shure residents access in and out of their development during flood events. Reed Township said they plan get bids to slope the road and put extensions on the culverts but put it off until the permit issue was resolved. Gerry Gwost expressed his concern that without the old ag road Lake Shure has less time to mobilize to protect their property during a flood event and that the recently installed culverts would bring water into their development sooner before it goes to Drain 40. Bernie said there are opposing opinions on whether the culvert would have a negative effect on Lake Shure and expressed concern that raising the road creates a dike that could threaten Harwood during flooding. He said if raised more box culverts would need to be installed. Gerry said raising the road no higher than it was in 1997 to the height of the old ag road would not affect Harwood and that Lake Shure is contending that if the culverts remain the road needs to be built up to the height it was in 1997 for time to mobilize and for the water to stay in the channel. It was said every flood is different. Mark Riley said with the culverts and plans to raise I-29 Houston needs to be involved with any channel changes and the sooner the floodplain permit application is submitted the sooner a determination can be made. Harwood will confer with Houston to see what it would cost to do a study and get back to them. Reed Township said it wants to come to some conclusion to not go into the winter with the culverts needing extending.

It was moved by Peyerl and seconded by Riley to approve Allmaras (118 Oak Circle) Building Permit #560 and variance for a garage; Bohn (437 Lind Blvd) Permit #561 for a deck; Gourde (200 Park Dr) Permit #562 for siding; Homeland Developers (105 Riverwood Dr) Permit #563 for a new home; and, Heilman (324 Interstate Blvd) Permit #564 and variance for a shed.

Motion by Riley with second by Peyerl to approve the 2008 certification of special assessments.

Motion by Mark Riley and second by Jim Gadberry to approve the 2009 Final Budget. Upon roll call vote with all in favor, the motion carried unanimously.

Motion by Lori Peyerl, seconded by Mark Riley, to permanently move city council meetings to the 1st Monday of each month with a time change back to 7:00 p.m., as recommended by the Advisory Committee to better accommodate residents who may want to attend. Upon roll call vote with all in favor, the motion carried unanimously.

Waste Management requested rate increases due to an "increase in the Consumer Price Index from July 2007 through July 2008 by 5.6%. WM will be increasing the rates by only 3%". It was moved by Mark Riley with second by Lori Peyerl to approve WM Addendum to Solid Waste Disposal Contract, as allowed per the waste contract. Upon roll call vote with all in favor, the motion carried unanimously. The city's waste contract expires June of 2009. Advertisement for garbage bids will begin in the spring.

Rate review was tabled to the November meeting.

Bernie will call Emergency Manager Dave Rogness to inquire about ISO classes.

The Council reviewed a video on Northwood's tornado disaster. Sherry suggested the city consider forming a CERT (Community Emergency Response Team) in Harwood that would consist of volunteers trained to assist in the first 72 hours following a disaster. She was asked to write an article for The Highlites to seek volunteers, explain the program, and see if training can be set up sometime after the 1st of the year.

Mayor Rohrich reported on the status of the offer to purchase the old bank. The abstract is being reviewed by the city attorney.

Kim Heim asked what came out of the special council meeting and asked if the city had an inspection done. It was said the city building inspector Chuck Asplin, Bernie, Mayor Rohrich and Lori inspected the building along with Tom Stennes who provided a list of known deficiencies and the age of the building contents. Kim said the city should not consider the purchase without an independent third party inspection and appraisal, questioned how the city can afford to buy the bank and also add onto the city shop with everything going up including an increase to water and sewer bills, and expressed her opinion that Harwood residents should make this decision. Mayor Rohrich said the executive (closed) session was necessary for negotiations to make an offer on the old bank but the final decision will come back to the council at an open meeting where residents will have an opportunity to give their opinion before the final decision is made. He said we don't know what all the costs are yet but setup expenses would be minimal and the few things that need repairing are not expensive. It is estimated this purchase would not be much more than renting. It was moved by Lori Peyerl and seconded by Jim Gadberry to spend up to \$1500 to have an appraisal and inspection. Upon roll call vote with all in favor, the motion carried unanimously.

Jennifer requested on behalf of the Community Center that should the city be moving out of the building they would appreciate a 60-day notice be given. The council agreed to this stating a notice should not be a problem.

Correspondence reviewed.

With no more business to come before the Council, it was moved by Gadberry with second by Riley to adjourn until Monday, November 3, 2008 @ 7:00 p.m. for the next regular meeting.

Bill Rohrich, Mayor

Sherry Morris, Auditor

Checks written after minutes sent to Wst Fgo Pioneer...add to next publication:

Asplin, \$155.74; Fargo Water, \$387.50; Info Tech, \$30.75; NDLC, \$195; Wst Mgmt, \$2706.31; Wst Fgo Pioneer, \$22.04; ND State Tax Comm, \$295.52; Hawkin's, \$1235.06; Qwest, \$289.21; Hawkin's, \$5; Wade Westrick Cons., \$10,000; One-Call, \$16.12; Tri-State Inspec., \$400;