

City of Mercer Minutes

August 8, 2024

Mayor Lori Stute called the meeting to order and lead the Pledge of Allegiance.

Lori Stute asked Tonya Wellington-Auditor to conduct the roll call.

Tonya Wellington conducted roll call with Barb Stute, Gary Volochenko, Erika Lorenz, and Randy Zinke-all present.

Lori Stute went through the minutes from July 11, 2024, and July 22, 2024. Erika Lorenz made the motion to approve the minutes with corrections made to July 11th meeting minutes and Barb Stute seconded. Barb Stute, Gary Volochenko, Erika Lorenz, and Randy Zinke all voted Aye. Motion carried.

Financials'

Erika Lorenz made the motion to approve the financial report and Randy Zinke seconded. Barb Stute, Gary Volochenko, Erika Lorenz, and Randy Zinke all voted Aye. Motion carried.

Bills

Randy Zinke made motion to approve the bills and Barb Stute seconded. Barb Stute, Gary Volochenko, Erika Lorenz, and Randy Zinke all voted Aye. Motion carried.

Water Bills

Tonya Wellington-Auditor will send out letters after August 15, 2024, to residents that are 30 days past due.

The City of Mercer's lawyer Wilson Law Firm in Garrison N.D. was in attendance to answer questions.

Jim Wilson stated the letter stated the letter that was sent out to all residents on mowing and haying lots, allowed for the haying of lots now need to abide by the mowing ordinance as regular residents. Grass cannot be higher than 8 inches. The City of Mercer would send a letter, and residents need to mow their property, or the City of Mercer will have it mowed at their expense.

Jim Wilson stated that the City of Mercer has asked him to look into the Water Improvement District to determine what primaries were for the curb stops and opting out of water services. It is evident that all parcels are subject to the Water Improvement District due to the boundaries that were created for all parcels in the City of Mercer, therefore no opting out. Jim Wilson stated that the monthly water and sewer charge of \$71.00 for each property is clear from former opinions of the Attorney General and the State Court. That the City of Mercer is in their rights to determine the water rates for the residents.

According to the Special Assessment District, every property owner would be included in the building process so they will receive a bill. It does not matter if a line goes to the property or not, it provides the services for the property even without a curb stop. The property owner would be charged, because it brings benefit to the town, and they would have access if wanted.

Erika Lorenz asked if a Special Assessments District was created assuming that they were going to levee specials. What happens if they never levied and how do we move forward from this point? Jim Wilson stated that it is done through the Water Improvement District. It is billed out monthly just like your water bills. If the Attorney General agrees that each resident is responsible for a monthly base rate. All property owners will be billed a monthly rate and may have to pay rears. Jim Wilson stated that they created the Water Improvement District. The district as here and described as such size and format includes all properties. Which, in the judgement of the governing body after consultation with the engineer and planning the improvement. Residents will benefit from all or a portion of the improvement. This will include all lots, tracks, and parcels of land within the city limits of the boundaries. Described as Water Sewer Improvement District 2015-1.

Old Business

Lori Stute stated that Mr. Raywalt has paid up on his property taxes and per the minutes will receive a refund of \$419.82.

Lori Stute presented the preliminary budget to the city council. Randy Zinke made the motion to approve the preliminary budget and Barb Stute seconded. Barb Stute, Gary Volochenko, Erika Lorenz, and Randy Zinke all voted Aye. Motion carried.

New Business

Erika Lorenz stated there is a copy of the draft for RFP Garbage Services. Our contract with Waste Management ends December 1, 2024. Contract duration is for 3 years with a possibility up to 5 years. Erika Lorenz will finalize the form if there are no changes and send it to the League of Cities so they can post it for the City of Mercer.

Erika Lorenz stated that the League of Cities has an Energy Conservation Grant program to help buildings increase the energy efficiency of the building. The City of Mercer can apply for this every year and there is a 50 percent cash match. Gary Volochenko made the motion to have Erika Lorenz apply for the Energy Conservation Grant and Barb Stute seconded. Barb Stute, Gary Volochenko, Erika Lorenz, and Rand Zinke all voted Aye. Motion carried.

Erika Lorenz stated she would like to attend the North Dakota League of Cities Conference from September 18th through the 20th, 2024. Registration is \$275.00 and 2-night stay. Barb Stute made the motion to approve the City of Mercer to pay up to \$525.00 for Erika Lorenz to attend The League of Cities Conference and Randy Zinke seconded. Barb Stute, Gary Volochenko and Randy Zinke all voted Aye. Motion carried.

Lori Stute stated that city hall needs a new printer because its not working properly. Randy Zinke made the motion to approve up to \$500.00 for a new printer and Gary Volochenko seconded. Barb Stute, Gary Volochenko, Erika Lorenz, and Randy Zinke all voted Aye. Motion carried.

Lori Stute stated that the batteries for the AED machine need to be replaced, and Bryan Fiedler provided information for the best batteries for the AED machine.

Laura Fiedler is speaking on behalf of the Mercer Community Center and would like to update that we have sent out letters for donations and membership letters at the beginning of the year. We had about 40 households respond and provide about \$6,000.00. We had Santa Day in December of 2023 and a couple of birthday parties. The Stradinger Family was not asked for a fee for hosting Joel Stradinger's funeral in recognition of the many years of service to the Mercer Community Center.

Kathy Gessele filled out a permit for a raffle for Our Saviors Lutheran Church. Erika Lorenz made the motion to approve the permit for Our Saviors Lutheran Church and Barb Stute seconded. Barb Stute, Gary Volochenko, Erika Lorenz, and Ranzy Zinke all voted Aye. Motion carried.

Lori Stute stated that Jade Murray would like a building permit approved. The property is zoned as commercial property. Gary Volochenko made the motion to approve the building permit for 1 year and Erika Lorenz seconded. Barb Stute, Gary Volochenko, Erika Lorenz, and Ranzy Zinke all voted Aye. Motion carried.

Erika Lorenz made the motion to adjourn the meeting and Gary Volochenko seconded. Barb Stute, Gary Volochenko, Erika Lorenz, and Randy Zinke all voted Aye. Motion carried.