

MOTT CITY COUNCIL PROCEEDINGS

PROCEEDINGS OF THE MOTT CITY COUNCIL
May 12, 2025 - Preliminary
The Council met for their monthly scheduled meeting on Monday, May 12, 2025. Present were Mayor Mosbrucker, Council members Steiner, Treichel, K. Messmer, Johnson, J. Messmer and Wangsvick Superintendent Brian Steinke, Luann Dart, Jerod Klabunde, and Sheriff Sarah Warner were also present. All motions are carried, unless otherwise stated.

K. Messmer moved and J. Messmer seconded the approval of the April 2025 meeting minutes.

Jerod Klabunde updated the Council on the status of the SRF approval process. Bituminous Paving is due to arrive in Mott mid-Summer to repair a couple of areas left over from last fall. The next set of bids for the USACE Grant and Governor's Fund projects are going out and the bid opening will be in June. There will likely be more visits from Moore employees to work on the Water Service Line Inventory directed by the State. Jerod also shared legislative updates; the Wastewater initiative died. The Governor did sign off on almost \$400million in water spending but most of it is for the largest cities.

Treichel moved and J. Messmer seconded the approval of the police report as presented for April. There were 8 calls for service with no 9-1-1 calls. The only investigations was an unattended death out in the County that was called in by a City Resident.

There were 4 Resolutions that needed to be voted on as part of the bonding process for the SRF Loan.

Resolution 1 – Creating and defining the boundaries for water and sewer improvements district No 2025-1. K. Messmer moved to approve with Steiner seconding. A roll call vote was taken with all council members voting “Aye”.

Resolution 2 – Resolution directing preparation of engineer's report and cost estimate. Johnson moved to approve with Wangsvick seconding. A roll call vote was taken with all council members voting “Aye”.

Resolution 3 – Resolution approving engineer's report and directing preparation of detailed plans and specifications for water and sewer improvement district No.2025-1. J. Messmer moved to approve with K. Messmer seconding. A roll call vote was taken with all council members voting “Aye”.

Resolution 4 – Resolution approving engineer's plans, specifications, and estimates for water and sewer improvement district No.2025-1. Steiner moved to approve with Wangsvick seconding. A roll call vote was taken with all council members voting “Aye”.

Steiner moved and Johnson seconded Street closures for Mott the Spot Day on 6/14/25. Brown between 2nd and 4th streets will be closed as well as 3rd Street between Pacific and Indiana Avenues.

We had the second reading of the City's Jake Brake ordinance. Wangsvick moved to approve and Treichel seconded. ORDINANCE NO. 2025-1 – CITY OF MOTT, NORTH DAKOTA ORDINANCE PROHIBITING USE OF ENGINE BRAKES ARTICLE I. - The following traffic offense is hereby ordained by the City of Mott Council: Engine Brakes – Prohibited Use 1. This ordinance applies to the use or operation of an auxiliary or compression engine brake (also known as “Jake Brake”) which produces noise in addition to the normal operating engine noise. 2.It shall be a traffic offense, except in emergency situations, for any driver of a truck or truck -tractor to activate or use the unit's engine brake upon State Highway 8 and State Hwy 21 in the City of Mott, in Hettinger County, North Dakota starting from 1 mile north of Mott City limits on State Highway 8, 1 mile south of Mott city limits on State Highway 8 and State Highway 22 and 1

mile east of Mott city limits on State Highway 21 when a traffic sign prohibiting such use and signifying that a vehicle noise ordinance is enforced. The City may affix the amount of the penalty to the traffic sign as allowed under 11-10-31 NDCC. 3.The term “emergency situation,” for the purposes of this ordinance shall mean one in which there is imminent danger of collision with property, person or animal. 4.The penalty sign must be uniform in size and text in relation to the traffic sign to which it is affixed and in compliance with the manual on uniform traffic control devices. Penalty - Any person, or persons, violating or failing to comply with any provision of this Ordinance commits a traffic offense and is to be fined, upon conviction, a non-criminal administrative penalty of Five Hundred Dollars (\$500.00) for each offense. Article II. - It is hereby declared to be the intention of the City of Mott Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections, of this ordinance, since the same would have been enacted by the City Commission without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section. Article III. This ordinance will take effect immediately from and after its passage and publication for three consecutive weeks of this ordinance in the official City newspaper.

J. Messmer moved ad K. Messmer seconded designating The Hettinger County Herald as the City's official Newspaper.

A certified letter was sent to the owner of record of 304 Iowa Ave. No return receipt was ever received. Upon further investigation the owner is out of State and has not retrieved their mail from the post office.

The Mott Country Club is pursuing a new lease with the City. The previous lease was very outdated. Details are still being discussed such as a City non-voting rep on the board, annual lease amount. The term will be for one year with an auto renewal unless a party would like to terminate. J. Messmer moved and Johnson seconded the revised lease and allowing the Country Club to pursue a State Liquor License.

An individual has approached the City about possibly acquiring the City property North of the Golf Course as a possible housing development. The Council would not be opposed to someone purchasing and developing that property.

The Council toured the City prior to the Meeting. There are a few homes that have a lot of refuse that needs to be cleaned up. Some that could be quite dangerous if the wind go a hold of it. The City Auditor will be writing the necessary letters and the Sheriff's Department will be delivering them.

City Superintendent shared they have started mowing. Tarring continues as weather permits, around the school and down Brown Ave still remain. They installed new brooms on the street sweeper. Still waiting to hear from the Forestry Department about the Holiday Park.

J. Messmer moved and Wangsvick seconded the approval of Gaming Site Authorizations for the Fire Department. J. Messmer moved and Wangsvick seconded the approval of Gaming Site Authorizations for M.O.T.T. K. Messmer moved and Wangsvick seconded the approval of a raffle permit for the Sheriff's Department. Johnson moved and Treichel seconded the approval of a bingo permit for the Country Club.

There was a question regarding the maintenance responsibilities for the walking trail and the kayak dock. The kayak dock was given to the City so it is our responsibility. John Fiedler is

maintaining the walking trail.

J. Messmer moved and Treichel seconded the approval of the bills as presented:

The amount of \$20,554.49 in salaries and deductions were paid as authorized; #2345e Bank of ND \$249,368.92; #41570 M&O Sanitation \$3524.80; #41571 Visa \$1128.10; #41576 Consolidated Telcom \$229.09; #41577 Dakota Dust-Tex \$77.40; #41578 Dakota Supply Group \$195.71; #41579 Dan's HVAC LLC \$106.50; #41581 Don Dowell \$6.36; #41582 Eido Printing \$120.00; #41583 Fitterer Sales \$61.20; #41584 Frieze Auto Parts \$29.08; #41585 Greenwood Lawn & Tree \$280.00; #41586 Greff Electric \$1094.00; #41587 M&O Sanitation \$3605.40; #41589 Midwest Doors \$129.64; #41588 MDU 4680.84; #41590 Mott Armory \$1450.00; #41591 Mott Equity Exchange \$894.91; #41592 MTI Dist. \$261.61; #41593 ND One Call \$19.50; #41594 Powerplan OIB \$4120.57; #41595 SW Water Authority \$8064.80; #41596 SW District Health \$25.00; #41597 Stelter Repair \$76.10; #41598 SW Diesel & Repair \$63.50; # 41599 Swanson \$571.43; #41600 Team Lab \$1969.00; #41601 The Tulip \$52.66; #41602 Dave Adams \$188.00.

K. Messmer moved to adjourn and J. Messmer seconded. ATTEST: Pamela Steinke, Auditor Troy Mosbrucker, Mayor

PROCEEDINGS OF THE MOTT ZONING BOARD
May 12, 2025 - Preliminary
The Board met for their monthly scheduled meeting on Monday, May 12, 2025. Present were Board members Steiner, Treichel, K. Messmer, Johnson, J. Messmer, and Wangsvick. Troy Mosbrucker, Luann Dart, and Brian Steinke were also present. All motions are carried, unless otherwise stated.

Wangsvick called the meeting to order.

Treichel moved and J. Messmer seconded the approval of the April 2025 minutes.

Steiner moved and Johnson seconded the following building permits:

- Joao Attenuati – cement deck slap
- Hunter Crist – Fence

J. Messmer moved and Johnson seconded adjourning the meeting.

ATTEST: Pamela Steinke, Auditor Mick Wangsvick, President

Pub. May 22, 2025

NOTICE

David M. Crane
ID No. 03876
P.O. Box 99
Mott, North Dakota 58646
(701) 824-2591
Attorney for Personal Representative
Probate No. 21-2025-PR-00004

IN THE DISTRICT COURT OF HETTINGER COUNTY, STATE OF NORTH DAKOTA
In the Matter of the Estate of Margaret L. Blickensderfer, deceased.
NOTICE TO CREDITORS
NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the above estate. All persons having claims against the said deceased are required to present their claims within three months after the date of the first publication of this notice or said claims will be forever barred. Claims must either be presented to William C. Blickensderfer, 2404 Canyon Lake Drive, Rapid City, SD 57702, Personal Representative, or filed with the above-entitled Court at Mott, ND 58646. Dated this 28th day of April, 2025.
/s/ William C. Blickensderfer
2404 Canyon Lake Drive
Rapid City, SD 57702

DAVID M. CRANE
CRANE & MERRIMAN, PC
PO BOX 99
MOTT, ND 58646
ATTORNEY FOR PERSONAL REPRESENTATIVE

Pub. May 8, 15, 22, 2025

NOTICE

ADVERTISEMENT FOR BIDS
CITY OF MOTT
MOTT, NORTH DAKOTA
EMERGENCY WATER MAIN IMPROVEMENTS
2ND STREET & 3RD STREET WATER MAIN REPLACEMENT
MOORE PROJECT NO. 24384
General Notice
Owner is requesting Bids for the construction of the project listed above.
Bids for the construction of the Project will be received and accepted via electronic bid (vBid) through QuestCDN until June 5, 2025, at 3:00 pm local time. Bids will be viewed and read via video/phone conference at 3:30 pm. Mailed or hand delivered bids will not be opened or considered. Link for the video/ phone conference is provided at www.mooreengineeringinc.com by clicking the Bid Information tab, or at www.questcdn.com . The Project includes the following Work: Water main replacement and surface restoration. Obtaining the Bidding Documents
Digital project bidding documents will be available at www.mooreengineeringinc.com by clicking the Bid Information tab, or at www.questcdn.com. You may download the complete set of digital documents for a nonrefundable fee of \$50.00 by locating eBidDoc™ Number 9338018 on the website. Contact QuestCDN Customer Support at 952-233-1632 or info@questcdn.com for assistance in membership registration, downloading digital project information, and vBid online bid submittal questions.
The Issuing Office for the Bidding Documents is: Moore Engineering, Inc. 4503 Coleman Street Suite 105, Bismarck, ND 58503
Each bid must be accompanied by a bidder's bond in a sum equal to 5% of the full amount of the bid executed by the bidder as principal and by a surety, conditioned that if the principal's bid is accepted and a contract is awarded to the principal, the principal, within ten (10) days after the notice of the award, shall execute a contract in accordance with the terms of the bid and the bid bond, and any conditions of the City of Mott, as required by law. A countersignature of a bid bond is not required. If the City of Mott elects to award a contract to the lowest responsible bidder, and the lowest responsible bidder does not execute a contract within ten (10) days, the bidder's bond will be forfeited to the City of Mott, and the City of Mott may award the project to the next lowest responsible bidder.
Each bidder must possess a valid North Dakota contractor's license for the full amount of their bid, as required by N.D.C.C. § 43-07-7. Each bidder MUST enclose a copy of their Contractor's License or Certificate of Renewal, issued by the North Dakota Secretary of State, and each license must be valid and dated at least 10 days prior to the date set for bid opening, as required under N.D.C.C. § 43-07-12.
Bidders for this work will be required to comply with the President's Executive Order No. 11246, as amended. The requirements for bidders and contractors under this order are explained in the Project Manual. Bidders on this work will be required to comply with American Iron and Steel requirements of the Consolidated Appropriations Act, 2014. The requirements for bidders and contractors under this regulation are explained in the specifications. Bidders are required to comply with Davis-Bacon prevailing wage requirements. For all further requirements regarding bid submittal, qualifications, procedures, and contract award, refer to the Instructions to Bidders that are included in the Bidding Documents. This Advertisement is issued by:
Owner: City of Mott
By: Pamela Steinke
Title: City Auditor
Date: May 14, 2025

Pub. May 15, 22, 29, 2025

NOTICE

IN DISTRICT COURT, HETTINGER COUNTY, NORTH DAKOTA
Civil No. 21-2025-CV-00008
AMENDED SUMMONS

The Industrial Commission of North Dakota, acting as the North Dakota Housing Finance Agency, Plaintiff, vs.
Justine Wheeler and Gary Wheeler, wife and husband, as joint tenants; any other person in possession; United States of America acting through the Secretary of Housing and Urban Development; DCI Credit Services, Inc.; Mott-Regent Public School; Ashley Perry; Angela Nichole Smith; Jacob Virgil Seidler; LVNV Funding, LLC; and Spring Oaks Capital SPV, LLC; Defendants.

THE STATE OF NORTH DAKOTA TO THE ABOVE-NAMED DEFENDANTS:
1.YOU ARE HEREBY summoned to answer the Amended Complaint of the Plaintiff which is herewith served upon you and which will be filed in the office of the Clerk of District Court of Hettinger County, North Dakota, and to serve a copy of your answer thereto on the undersigned at her office at 720 Main Avenue, in the City of Fargo, County of Cass, State of North Dakota, within twenty one (21) days after service of this Amended Summons upon you, exclusive of the date of service. The Defendant, United States of America, acting through the Secretary of Housing and Urban Development, pursuant to 28 U.S.C. Section 2410(b) shall have sixty (60) days after the service of this Amended Summons to answer, exclusive of the date of service. If you fail to appear or answer as above directed, judgment will be taken against you by default for the relief demanded in the Amended Complaint herein.
2. MORTGAGORS ARE NOTIFIED FURTHER that this is a communication from a debt collector and this is an attempt to collect a debt. Any information obtained will be used for that purpose.
Dated at Fargo, North Dakota, this 24th day of March, 2025.
/s/ Sarah A. Aaberg
Sarah A. Aaberg (ND ID #08393)
Special Assistant Attorney General for the Industrial Commission of North Dakota acting as the North Dakota Housing Finance Agency
Attorney for Plaintiff
720 Main Avenue
Fargo, North Dakota 58103
701.235.8000
sarah@okeeffeatorneys.com

3.This action relates to the foreclosure of a real estate mortgage owned by above-named Plaintiff upon the following described property situated in the County of Hettinger, State of North Dakota, to-wit:
Lot 9, Block 9, Original Plat of the Townsite of Mott, Hettinger County, North Dakota.
Tax Assessment Number: 33-0001-05312-000 (Street Address: 301 Iowa Avenue Mott, ND 58646)

/s/ Sarah A. Aaberg
Sarah A. Aaberg (ND ID #08393)
Special Assistant Attorney General for the Industrial Commission of North Dakota acting as the North Dakota Housing Finance Agency
Attorney for Plaintiff
720 Main Avenue
Fargo, North Dakota 58103
701.235.8000
sarah@okeeffeatorneys.com

Pub. May 8, 15, 22, 2025

NEW ENGLAND CITY COUNCIL PROCEEDINGS

Regular City Council Meeting 5-5-25
Mayor Kovar called the meeting to order at 7pm
Present: Breann Krebs, Chris Fitterer, Mike Grote
Excused: Rebecca Ferderer, Rex Fitch, Tom Gorek
Motion by Breann, seconded by Mike to approve the April 2025 minutes as presented. Motion carried.

The county policing report was presented by Sheriff Warner. In April there were 17 calls for service including permitting unauthorized minor to drive, simple assault, exhibition driving, reckless endangerment, and domestic dispute. The City Council informed Sheriff Warner that there are too many campers and boats on the streets. The City Council asked that orange stickers be placed on the boats and campers that have been there for a long time; if they are not moved the city will have them towed. We need to check the ordinance for trees on a property. A resident was at the meeting to address a property beside him that has trees that were cut down and piled up on the lot next to his house. Branches laid on a property all last summer, finally cut down and then were put on someone else's property. The pile of trees is a concern for rodents and skunks. The City Council asked the City Auditor to send a letter to the property owner stating if the trees are not removed from the property within 30 days we will turn it over to our City Attorney. Included in the letter is the ordinance for uncut grass as a reminder that this needs to be taken care of as well. Motion by Breann, seconded by Mike to approve the county policing report. Motion carried.

Mayors Report: The camper and boat parked in a resident's yard is gone. An individual is interested in a couple of lots by the swimming pool. Lori Nore has a sewer line that she is having issues with. She had someone camera the sewer line and gave a copy of the video to the city. The City Auditor was asked to send the video to Jerod at Moore Engineering. Water & Sewer: Nothing to report

Street & Lights: The crack sealing is nearly complete, there is a need for another 600 pounds to the finish the town. The City Council agreed that we need to get the crack sealing finished. Buildings & Grounds: An estimate from Kahm Construction to fix all the steps in front of Memorial Hall was \$13,500. Chris will have Winn Construction look at the steps and give us an estimate.

Kahm Construction fixed the door at the Library. A new urinal was installed at the Memorial Hall.

Equipment: Nothing to report

Ordinance: Motion by Breann, seconded by Chris to amend the chicken ordinance to say, 6 chickens per household. Motion carried. The ordinance previously said 6 chickens per lot. The intention of the City Council was always 6 chickens per household.

City & Government Affairs: Nothing to report

Zoning Commission: Building permits were presented as follows.

- Ali Freeman – Fence
- Charles Hall – Fence
- Jean Janice – Needs a permit for a fence. The property has been measured.

Auditors Report: Motion by Breann, seconded by Mike to approve the following bills for payment. Motion carried.

LEGALS
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Deadline for submitting advertising or local content:
Monday @ Noon