Kenmare City Council Meeting Wednesday, August 12, 2026 7:00pm Kenmare City Hall

MINUTES:

Call to order: Meeting called to order with Pledge of Allegiance at 7:00pm by Mayor Gartner. Roll Call: Mayor Gartner, Duane Dockter, Tim Nelson, Justin Patterson, Miles Mibeck & by phone Tim Heid. Also present: Rob Shelton, Dominick Haux & Kelly Donovan – Public Works, Shawn Brien – Kenmare Police Dept, Doug Diedrichsen – Kenmare Planning & Zoning, Tammy Knutson – Auditor, Marianne Nelson – Deputy Auditor, Josh Reiner – Moore Engineering, Fay Froseth – Kenmare News. Ron & Rita St. Croix, James Cart, Bryce Hennix & Danie Keaveny.

Approval of Agenda: Motion to approve the agenda as presented by Dockter. Second by Mibeck, all were in favor. Motion carried.

Approval Meeting Minutes: Motion to approve the July 8th meeting minutes as presented by Mibeck. Second by Nelson, all were in favor. Motion carried.

Council Elections: Mayor Gartner opened the floor for nominations for President. Patterson nominated Jim Burd for Council President. There were no other nominations. Motion by Patterson to confirm the nomination of Jim Burud as Council President. Second by Dockter, all in favor. Motion carried. Nelson nominated Miles Mibeck for Council Vice President. There were no other nominations. Motion by Nelson to confirm the nomination of Miles Mibeck for Council Vice President. Second by Dockter, all were in favor. Motion carried.

Planning & Zoning:

Public Hearing – File 2026-02 Zoning Change Request: Doug Diedrichsen presented the staff report for a zoning map amendment requested by Indus Valley Civilization LLC. The request is to rezone Lots 1 & 2, Block 3 of Niederriter's 4th Addition to the City of Kenmare. The property is currently zoned Residential (R-3) and the request would change the zoning to Commercial (C-2). Staff analysis for this request focused on evaluative criteria provided in the zoning ordinance, specifically; will the zoning change have a detrimental effect on adjacent properties. No evidence was provided prior to this meeting stating a detrimental effect, with that, staff recommends approval on 1st reading changing the property from R-3 to C-2. It was further brought to the council's attention that the developer would be required to develop the road including all infrastructure as well as a storm study to ensure proper storm water management prior to being given a building permit. The rezoning & development of these properties, the urban road & infrastructure would also open up other properties to become buildable. Motion by Mibeck to open the Public Hearing. Second by Nelson, all were in favor. Meeting opened.

Bryce Hennix & Danie Keaveny, adjacent property owners, spoke expressing their concerns regarding the motel being directly boardering their backyard. They felt that instead of helping the value of their property is would diminish it due to the close proximity of the motel, the loss of trees & obstruction of the view by the motel of surrounding properties & the view from the motel would be directly into their yard.

James Cart spoke expressing his support for constructive economic development but also stating his concern for this property being changed to commercial due to the poor location for a commercial purpose. He expressed his concern for the property being developed but then being left empty as a business recently developed on 6th St NE. He stated building up a community is a good thing but if not well thought out & things don't get built or completed, people are poorer for the effort. He told the council for those reason's he opposed to the rezoning this property.

Rita & Ron St. Croix spoke expressing their opposition to the zoning change due to the seeming unreality of the plans intended for the property. They both expressed their concern for the plans outlined in the rezoning proposal to actual size of the properties in the zoning request.

Josh Reiner of Moore Engineering offered his thoughts that it would be wise if the Council does proceed with the zoning change to consult the City Attorney and enter a Developers Agreement with the developer to set the terms of acceptance for the development of the property and protect both the City and developer should the project more forward.

Mayor asked for any other public comment. With no further public comment Dockter made a motion to close the Public Hearing. Second by Patterson, all were in favor. Public meeting was closed.

Motion by Patterson to deny the

requested zoning change due to the possible detriment to the surrounding property value. Second by Nelson. Roll Call: Dockter – Y, Nelson – Y, Patterson – Y, Heid – Y, Mibeck – Y. Motion carried.

Other Planning & Zoning Items – Diedrichsen brought to the Council's attention that the current City Ordinances have no regulation for data centers. Data centers have become a hot button issue & the council should consider measures to put zoning ordinances & regulation in place. Motion by Patterson to place a six-month moratorium on data centers within the purview of the City of Kenmare to allow Diedrichsen to craft zoning ordinances & regulation at a City level on how to handle data centers within City jurisdiction. Second by Dockter, all were in favor. Motion carried.

Moore Engineering:

2025 Water Main Replacement Project

Contractor's application for payment 5 was presented to the council for a final payment to the contractor for $31,175.35. Motion by Patterson to approve the final payment to the contractor for $31,175.35. Second by Mibeck, all were in favor. Motion carried.

Final Balancing Change Order was presented with a savings of $88,191.80. Motion by Mibeck to approve the Final Balancing Change Order. Second by Dockter, all were in favor. Motion carried.

SRF Closeout Documents. Motion to execute the SRF Closeout documents for the 2025 Water Main Replacement Project by Mibeck. Second by Patterson, all were in favor. Motion carried.

Funding Information – DWR request #9 and SRF request #5 that includes Moore Engineering Invoice for $9,750.00 and Contractor's Application for payment of $31,175.35 will be submitted for reimbursement.

2026 Sanitary Sewer Improvement Project

Construction Contracts – Motion by Mibeck to approve execution of the Construction Contract with Kemper Construction for the 2026 Sanitary Sewer Project. Second by Nelson, all were in favor. Motion carried.

Notice to Proceed – Motion by Mibeck to approve execution of the Notice to Proceed. Second by Dockter, all were in favor. Motion carried.

Engineering Amendment No 2 to Task Order No 1for an additional amount of $486,000. Motion by Mibeck to approve Engineering Amendment No. 2 to Task Order No. 1 for $486,000. Second by Patterson, all were in favor. Motion carried.

Mayor's Report:

Mayor Gartner commended the City Public Works department on handling the water breaks, tower work & now an additional water break. They are doing a great job handling the situations as they arise.

Mayor Gartner is also hopeful that the Splash Pad will be going again once tower work is complete. The Park Board is looking at ways to utilize the water from the Splash Pad for non-potable purposes if possible.

Leases & Contracts:

Ward Co Contract for Inmate Boarding – Motion by Dockter to approve the Ward County Contract for Inmate Boarding as presented. Second by Mibeck, all were in favor. Motion carried.

KPS Memorial Hall Lease Agreement – Motion by Nelson to approve the Memorial Hall lease with Kenmare Public School with no change in terms from the previous year. Second by Mibeck, all were in favor. Motion carried.

Financials: Motion to approve the July 2026 financial statements as presented by Mibeck. Second by Nelson, all were in favor. Motion carried.

Preliminary Budget: Motion by Patterson to approve the 2027 Preliminary Budget Levies as presented. Second by Mibeck, all were in favor. Motion carried.

Committee Reports:

Personnel – Finance:

Campground Capital Improvement balance transfer – Motion by Patterson to transfer the balance of $6,107.55 from the Campground Capital Improvement fund to the Highway Fund to cover some of the labor in building of the bath house. Second by Nelson, all were in favor. Motion carried.

Full-time Deputy Auditor Position – Motion by Patterson to advertise for a Full-Time with benefits and wages DOE. Second by Mibeck, all were in favor. Motion carried.

Water – Sewer:

Core & Main representative met with the Water-Sewer Committee to discuss the end of life of the current meter reading system and upgrade options. Core & Main is willing to waive $10,000 in set up fees if the City will commit to the upgrade prior to the end of the year. The new system (AMI) will work with the current meters and MXU's the city currently has. Once installed the system will allow meters to be read directly

in the Auditor's office as well as provide warning notices for meters that are showing a 'continuous' read indicating a possible leak. Motion by Patterson to upgrade to the AMI system using funding from the Sales Tax Infrastructure fund to cover the $43,861.25. Second by Mibeck, all were in favor. Motion carried. Motion by Patterson to include the cost of 6 new ball-valve meters with funds also from Sales Tax Infrastructure. Second by Mibeck, all were in favor. Motion carried.

Health & Beautification: Nelson updated the council that Joel Allen from ND Forestry had visited with him regarding the Emerald Ash Borer Mitigation grant the City received, in turn Nelson met with Park Board to discuss the work to be done on the Downtown square. Nelson will be putting orange tape on the trees to be removed. Planting will begin late August through September.

Streets – Alleys: Streets & Alleys met to discuss some of the budget items for the 2027 budget.

Staff Reports:

Clerk of Court: June Deposits = $435.00 July Deposits = $690.00

Police Dept: Officer Shawn Brien reported things had been going well since he has taken up his post. Chief Rispa reported 88 calls for service with 3 new criminal cases since the July meeting. Since January first, 10 felonies have been charged out, 5 misdemeanors & 19 criminal cases.

Public Works: Shelton reported that Dominick & Kelly were trying to locate a water break between the North end of 2nd Ave NW to the Country Club. The pressure loss over the previous weekend was due to the pumps at the booster station being out of sync. Upcoming items include getting a bid from CTI to bore electrical lines to light poles on Central between 2nd St NE & 3rd St NE.

Auditor's Office:

Deputy Auditor Nelson reported sending out 9 Past Due letters totaling $3,757.50 & 9 Courtesy Letters totaling $2,501.12. 32 notices were sent out for mowing & weed control.

Auditor Knutson reported working on the 2027 Budget, end of month processes & utility billing.

• Bills: Motion by Dockter to approve payment of bills as presented. Second by Mibeck, all were in favor. Motion carried.

• Adjourn: Motion to adjourn by Mibeck. Second by Patterson, all were in favor. Meeting adjourned at 8:19pm.

BILLS

Professional Solutions: JULY 2026 Credit Card Fees 267.58
Clover:Credit Card POS 29.95
RTC (MAIN): AUDITOR - CAMERAS - SHOP 649.56
RTC (PD): POLICE DEPT - PHONE INTOXILIZER ...203.91
MDU: WARNING SIREN (PUMP) 39.27
MDU: WARNING SIREN 702 NE 2ND AVE 39.27
MDU: WARNING SIREN 109 NW 3RD ST 39.56
MDU: WARNING SIREN 2 NW 9TH ST 39.47

MDU: LANDFILL 55.38
MDU: RV SOUTH 107.85
MDU: CITY SHOP 184.15
MDU: WATER TOWER 121.98
MDU: BATH HOUSE & RV 290.86
MDU: WATER 247.33
MDU: SEWAGE LAGOON 719.52
MDU: MEMORIAL HALL 440.08
MDU: RV ORIGINAL 515.01
MDU: STREET LIGHTS 1,637.68
DNA MOBILITY: SERVER & IT SERVICES 278.40
Burke Divide Electric Company: Lift station, Booster station, Lagoon Blowers 1,269.45
Advanced Business Methods: Acct# CO49 Copier Lease .204.57
ACE INDUSTRIAL SUPPLY INC: SAW BLADES 209.70
Circle Sanitation Inc.: Acct# CTY00066 .....8,443.75
Core & Main: Sewer Repair 95.96
Dakota Fire Extinguishers: INV#90105 ANNUAL EXTINGUISHER SERVICE 507.06
DAWN RISPA: JULY 2026 CLEANING 300.00
DAKOTA SUPPLY GROUP: METER - SPLASH PAD 1,914.92
Electric Pump: Lift Station Pump 475.58
Farden Construction: Road & Culvert Repair 5,252.37
Farmers Union Hardware: JULY 2026 STATEMENT 552.07
Farmers Union Oil. Co: City Acct No. 471013 .....4,441.02
Farmers Union Oil Co.: Police PD - FUEL 512.17
First District Health Unit: JULY WATER TESTING 30.00
HEISLER AUTO INC: FORD F-350 REPAIR in May ...4,713.59
Jerry's Transfer Service: JULY WATER DELIVERY 28.00
Kemper Construction Co.: WATER MAIN LEAK 3,685.00
JACK & JILL GROCERIES: JULY STORE CHARGES ..90.19
Kenmare News: Mins -Public Hearing-Landfill closure ..348.00

Kenmare Park District: JULY 2026 STATE AID PAYMNT 1,051.72

MAXSON LAW OFFICE, PC: JUNE - JULY LEGAL SERVICES 339.00

MOORE ENGINEERING INC: INV# SIN010856 2025 Water Main Project 9,750.00

NETT'S ELECTRIC: Electric Light poles & Campground 1,120.01

NORMONT EQUIPMENT: ACCT# 54232 DURAPATCHER RENT 9,261.00

North Country Mercantile: MOWER BLADES & BELTS 288.98

ND Information Technology: PD OFFICE 365 & NETMOTION VPN SERVICES 114.05

ND Department of Water Resources: JULY 2026 NAWS WATER 18,799.90

ND ONE CALL INC: April & July One Call 36.90

SANITATION PRODUCTS: Sweeper Brooms 954.64

Souris Basin Planning Council: 2026 Membership Dues 450.00

Swanston Equipment Corporation: BOBCAT PARTS 61.98

TRUSCO MFG CO: PAINT SPRAYER PARTS 396.11

Verizon Wireless: Phone Service for Account No. 842630399-00001 .....317.26

VISA: VISA CHARGES ...581.03

BND-Bank of North Dakota BND LOAN PYMNTS 105,069.93

Total 187,572.72