

May 1, 2024
City of Wilton
Agenda

1. Call Meeting to Order
2. Pledge of Allegiance
3. Roll Call
4. Approve Meeting Minutes
5. Finalize Agenda
6. City Maintenance Report
- 7.
8. Special Hearing
 - A. Cenex – Continuous from April 17, 2024
9. Old Business
 - A. Phalke Land
 - a. Set Hearing Date
 - b. Move Hearing to Memorial Hall?
 - B.
10. New Business
 - A. Wilton Elevator
 - B. Burn Ban
 - C. Zoning Appointment – Tim Smallbeck
 - D. American Legion Gaming Permits
 - a. County Line Café
 - b. Aces Tavern
 - c. Sportsmen Bar
 - E. Ordinance Update
 - a. 8.0603 – License Required
 - b. 8.0632 - Special Event Permits Winery and Microbrewery
 - F. 2023 Audit
 - G.
 - H.
 - I.
11. Reports
12. Bills
13. Adjournment

April 17, 2024

Unofficial Minutes – Subject to the review and revision of the Wilton City Commission.

A regular meeting of the Board of City Commissioners was held on April 17, 2024, at 7:00 p.m. at the City Meeting Room. Present Commissioners John Clausen, Lisa Hedstrom, Jim Schacher and President LeeAnn Domonoske-Kellar.

Motion made by Clausen and seconded by Hedstrom to approve the minutes from the April 3, 2024 meeting as presented. All present voted aye, motion carried.

Motion made by Schacher and seconded by Clausen to approve the agenda as presented. All present voted aye, motion carried.

The special hearing for the vacation of 7th Street was held.

Pres. Domonoske-Kellar opened the floor to public comment. Several residents voiced their concerns about possible issues vacating 7th Street south of Minnie Avenue.

Due to public concerns and legal documents not being ready, the hearing will be continued at the May 1, 2024 meeting.

Discussion was held about Memorial Hall cleaning. The custodian will clean on Wednesday or Thursday rather than on the weekends.

Motion made by Hedstrom and seconded by Schacher to approve the bid from Jessen Roofing to replace the Memorial Hall roof for \$87,870.00 pending funds from Sales and Use. All present voted aye, motion carried.

Motion made by Clausen and seconded by Schacher to approve the 2022 financial audit as presented. All present voted aye, motion carried.

Due to the higher than anticipated costs for the 125th celebration, the City of Wilton will be requesting additional funds from Economic Development.

Motion made by Clausen and seconded by Hedstrom to pay bills as presented. Roll call vote. Aye: Comm. Clausen, Hedstrom, Schacher and Pres. Domonoske-Kellar. Absent: Comm. Kary. Motion carried.

With no other items for discussion, Pres. Domonoske-Kellar declared the meeting adjourned at 7:57 p.m.

-99611 BCBS of ND 2,989.44
-99610 Verizon Wireless 200.44
-99609 Visa 1,740.23
-89584 NDPERS 26.00
-89583 NDPERS 87.50
52 Starion Bond Service 105,675.00
1047 Starion Bond Service 58,470.00

21753 Starion Bond Service 11,280.00
21754 Dennis Dockter 1,577.81
21755 Dean Larson 1,689.02
21756 Pattie Solberg 1,965.98
21757 Circle Sanitation 8,451.25
21758 McLean Sheriff 25,820.88
21759 RDO Equipment 12,862.94

21760 Nordic North Publications 166.48
21761 Advanced Business Methods 87.41
21762 Farmers Union Oil 762.47
21763 Wilton PTO 150.00
21764 Quentin Schumacher 150.00
21765 ND Dept of Health 25.00
21766 Premier Pyrotechnics 3,750.00
21767 SCRWD 11,121.04

Pattie Solberg, City Auditor

21768 Brady Martz 15,800.00
21769 Montana Dakota Utilities 611.81
21770 Otter Tail Power 2,600.04
21771 Bek Telephone 8.76
21772 Record Keepers 96.00
21773 Acme Tools 247.50
21774 Office Depot 17.09

LeeAnn Domonoske-Kellar, Pres.

City of Wilton

P.O. BOX 278 - 121 DAKOTA AVE.
WILTON, ND 58579
PHONE: 734-6707 - FAX: 734-6708
Web Site: www.wiltonnd.org
E-mail: wiltonnd@bektel.com

2024 FIRE EMERGENCY AND AUTOMATIC BURN BAN WILTON, NORTH DAKOTA

May 1, 2024

WHEREAS, McLean County, North Dakota is currently in a drought with abnormally to moderate dry conditions, and has experienced high winds, as well as continued, forecasted dry conditions; and

WHEREAS, all available resources remain committed to protecting life and property; and

WHEREAS, the impact of fires could threaten the health, well-being, and safety of citizens in McLean County; and

WHEREAS, the cost of emergency response and the inordinate equipment wear may be far in excess of available County resources.

NOW, THEREFORE, BE IT RESOLVED, that the Wilton City Board of Commissioners declares a Fire Emergency and Automatic Burn Ban effective when the North Dakota Rangeland Fire Danger Rating is Very High, Extreme and/or a Red Flag Warning has been issued for Burleigh County and/or McLean County, North Dakota, effective immediately thru November 1, 2022.

What's Included (when the ND Rangeland Fire Danger Rating is Very High, Extreme and/or a Red Flag Warning)

No Open Burning: includes burning of leaves, grass clippings, garbage/pits, ignition of farm or crop residue/land, hay land, sloughs, construction debris, fallen trees campfires, bonfires, recreational fires and fireworks.

What's Excluded

Controlled Devices: only when device(s) (gas, charcoal, wood-fired/pellet grills, patio fireplaces and chimineas, gas camp stoves, and smokers/pellet grills) is/are on a hard, non-organic surface and 15' away from vegetation and an extinguisher or water is available on site.

ANY INDIVIDUAL WHO WILLFULLY VIOLATES THIS BURN BAN IS GUILTY OF A CLASS B MISDEMEANOR (NDCC 37-17.1-10.1; MAXIMUM SENTENCE OF 30 DAYS IN JAIL AND A

\$1,500.00 FINE), AND RESTITUTION OF FIRE SUPPRESSION COSTS MAY BE SOUGHT FROM THE COURT. THE MCLEAN COUNTY SHERIFF'S DEPARTMENT IS AUTHORIZED TO ISSUE CITATIONS TO VIOLATORS.

The North Dakota Rural Fire Danger Guide is posted on the McLean County website: www.mcleancountynd.gov or residents can contact the McLean County Sheriffs Office at 701-462-8103.

Dated at Wilton, North Dakota this 1st day of May 2022

LeeAnn Domonoske-Kellar
City of Wilton, President

Pattie Solberg
City of Wilton, Auditor



GAMING SITE AUTHORIZATION
ND OFFICE OF ATTORNEY GENERAL
SFN 17996 (4-2023)

G - _____ (_____) _____
Site License Number
(Attorney General Use Only)

Full, Legal Name of Gaming Organization

WASHBURN AMERICAN LEGION POST # 12

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location

County Line Cafe

Street

614 Burleigh Ave

City

Wilton

ZIP Code

58579

County

McLean

Beginning Date(s) Authorized

JULY 1 2024

Ending Date(s) Authorized

JUNE 30 2025

Number of Twenty-One
tables, if zero, enter "0"

(0)

Specific location where games of chance will be conducted and played at the site (required)

entire bar & Restaurant area Less Kitchen & Restrooms

If conducting **Raffle** or **Poker** activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)



Bingo



Club Special



Sports Pools



ELECTRONIC Quick Shot Bingo



Tip Board



Twenty-One



Raffles



Seal Board



Poker



ELECTRONIC 50/50 Raffle



Punchboard



Calcuttas



Pull Tab Jar



Prize Board



Paddlewheel with Tickets



Pull Tab Dispensing Device



Prize Board Dispensing Device



Paddlewheel Table



ELECTRONIC Pull Tab Device

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General

Date

Signature of City/County Official

Date

PRINT Name and official position of person signing on behalf of city/county above

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 OR 800-326-9240



GAMING SITE AUTHORIZATION
ND OFFICE OF ATTORNEY GENERAL
SFN 17996 (4-2023)

G - _____ (_____) _____
Site License Number
(Attorney General Use Only)

Full, Legal Name of Gaming Organization

WASHBURN AMERICAN LEGION POST # 12

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location

Ace's Tavern

Street <i>100 Dakota Ave</i>	City <i>Wilton</i>	ZIP Code <i>58579</i>	County <i>McLean</i>
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Beginning Date(s) Authorized
JULY 1 2024

Ending Date(s) Authorized
JUNE 30 2025

Number of Twenty-One
tables, if zero, enter "0" *(0)*

Specific location where games of chance will be conducted and played at the site (required)

entire bar area less restrooms

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

☒ Bingo	☐ Club Special	☐ Sports Pools
☐ ELECTRONIC Quick Shot Bingo	☐ Tip Board	☐ Twenty-One
☐ Raffles	☐ Seal Board	☒ Poker
☐ ELECTRONIC 50/50 Raffle	☐ Punchboard	☐ Calcuttas
☐ Pull Tab Jar	☐ Prize Board	☐ Paddlewheel with Tickets
☒ Pull Tab Dispensing Device	☒ Prize Board Dispensing Device	☐ Paddlewheel Table
☒ ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

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ND OFFICE OF ATTORNEY GENERAL
SFN 17996 (4-2023)

G - _____ (_____) _____
Site License Number
(Attorney General Use Only)

Full, Legal Name of Gaming Organization

WASHBURN AMERICAN LEGION POST # 12

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location

Sportsmens Bar

Street

21 Dakota Ave

City

Wilton

ZIP Code

58579

County

McLean

Beginning Date(s) Authorized

JULY 1 2024

Ending Date(s) Authorized

JUNE 30 2025

Number of Twenty-One
tables, if zero, enter "0"

(1)

Specific location where games of chance will be conducted and played at the site (required)

entire Bar area Less Kitchen & Restrooms

If conducting **Raffle** or **Poker** activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

☐

Bingo

☐

Club Special

☐

Sports Pools

☐

ELECTRONIC Quick Shot Bingo

☐

Tip Board

☒

Twenty-One

☐

Raffles

☐

Seal Board

☒

Poker

☐

ELECTRONIC 50/50 Raffle

☐

Punchboard

☐

Calcuttas

☐

Pull Tab Jar

☐

Prize Board

☐

Paddlewheel with Tickets

☒

Pull Tab Dispensing Device

☒

Prize Board Dispensing Device

☐

Paddlewheel Table

☒

ELECTRONIC Pull Tab Device

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

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Date

Signature of City/County Official

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8.0603 License Required

No person shall sell at retail within the city limits of this city any alcoholic beverage without first having obtained a license therefore as herein provided. This section shall not apply to public carriers engaged in interstate commerce.

A domestic winery may conduct eight trade shows, conventions, festivals or similar events each year in the city without obtaining a retail liquor license from the city subject to the following exceptions:

- a. The domestic winery is licensed by the state tax commissioner pursuant to NDCC Section 5-01-17.*
- b. The event is approved by the state tax commissioner.*
- c. Each domestic winery shall be allowed eight events each year.*
- d. The domestic winery and the event are in compliance with all of the provisions of NDCC Section 5-01-17.*

A licensee with a brewer taproom license issued by the state and not licensed by the City may conduct special events within the City for up to 20 days per year without obtaining a liquor license from the City, subject to the following:

- a. The brewer taproom is licensed by the state tax commissioner pursuant to NDCC Section 5-01-21.*
- b. The event is approved by the state tax commissioner.*
- c. Each brewer taproom shall be allowed up to 20 event days per each year.*
- d. The brewer taproom and the event are in compliance with all of the provisions of NDCC Section 5-01-21.*
- e. The brewer taproom obtains a special permit for each event from the City.*

8.0632- Special Event Permits Winery and Microbrewery

1. A special event permit shall authorize the winery to sell wine produced by the special event permit holder “on” and “off-sale”, and to sell winemaking supplies and related services, subject to the following restrictions and conditions:

(a) May be issued only to a domestic winery owner or operator who obtains a license from the State Tax Commissioner allowing the production of wine.

(b) Will authorize the licensee to sell on the permitted premises wine produced by that winery on-sale or off-sale, in retail lots, and not for resale, in total quantities not in excess of 10,000 gallons in a calendar year.

In the absence of another appropriate license, sales or delivery of off-sale or on-sale wine, beer or any other alcoholic beverage produced off the premises shall not be permitted.

(c) Will authorize the licensee to utilize special event permits issued by the State Tax Commissioner.

(d) Shall be governed by all the provisions of this chapter generally applicable to all license classifications.

(e) Permit holders who are licensed by the state as a winery under NDCC Section 5-01-21 and obtains a special event permit under NDCC Section 5-01-21(3) from the state tax commissioner may give free samples of its wine and sell its wine by the glass or in closed containers, at a designated trade show, convention, festival, or a similar event approved by the tax commissioner.

2. A special event permit shall authorize the microbrewery to sell beer produced by the special event permit holder “on” and “off-sale”, and to sell beer making supplies and related services, subject to the following restrictions and conditions:

(a) May be issued only to a microbrewery owner or operator who obtains a microbrew pub license pursuant to NDCC Section 5-01-14 or a brewer taproom license pursuant to NDCC Section 5-01-21 from the State Tax Commissioner allowing for the production of beer.

(b) Will authorize the permit holder to sell on the designated premises, beer produced by that microbrewery on-sale or off-sale, in retail lots of not less than 5 ounces or more than 5.16 gallons. A microbrewery licensed as a microbrew pub under NDCC Section 5-01-14 may produce no more than ten thousand barrels of

malt beverages annually. A microbrewery licensed as a brewer taproom under NDCC Section 5-01-21 may produce no more than twenty-five thousand barrels of malt beverages annually and may sell beer wholesale as allowed by that section in containers of not more than 5.16 gallons. A microbrewery may utilize ingredients not produced by the microbrewery in brewing its beer.

(c) permit holders that hold a microbrew pub licensed pursuant to NDCC Section 5-01-14 may sell beer produced off of the premises, on-sale only.

(d) Permit holders that hold a brewer taproom license pursuant to NDCC Section 5-01-21 may be issued a special permit under Section 5-01-13 to sell alcoholic beverages "on-sale" at special locations as designated in the permit.

(e) Permit holders shall be governed by all the provisions of this chapter generally applicable to all license classifications.

(f) Permit holders who are licensed by the state as a brewer taproom under NDCC Section 5-01-21 and obtains a special event permit under NDCC Section 5-01-21(3) from the state tax commissioner may give free samples of its beer and sell its beer by the glass or in closed containers, at a designated trade show, convention, festival, or a similar event approved by the tax commissioner.

Bill Summary
May 1, 2024

-89582 NDPERS	Retirement	2,229.51
-89581 NDPERS	Def. Comp	87.5
21775 Dennis Dockter	Salary	1,577.81
21776 Dean Larson	Salary	1,689.02
21777 Pattie Solberg	Salary	1,965.98
21778 Aflac	Insurance	54.87
21779 Tru-Community Bank	HSA	410
21780 Tru-Community Bank	HSA	100
21781 Morgan Hedstrom	Salary	161.61
21782 NABCO	Insurance	81.52
21783 Sams Club	Annual Membership	50
21784 LeeAnn Domonoske-Kellar	125th Expense	315.58
21785 ND One Call	Locates	1.3
21786 Steins Inc	Mop Heads	45.68

\$ 8,770.38
