

CITY OF TIOGA
City Commission Meeting Minutes
October 15, 2018

A meeting of the City Commission of the City of Tioga was called to order at 7:00 pm on October 15, 2018, at the Tioga City Hall, by the president of the Tioga City Commission Drake McClelland.

PRESENT: Drake McClelland, Tim Christianson, Natalie Bugbee, Tim Sundhagen, Heather Weflen and Abby Salinas

ABSENT: Elizabeth Pendlay

GUEST: Dan Larson, Tyler Judkins, Austin Alexander, Steve Eberle, Stephanie Nygaard, Austin Rollag, Aaron Hooyer, Monique Lopez, Julie Crisman, Kyle Ralston, Doneen Larson, Thomas Larson, Ronica Pederson, Jacob Orledge, Mike Holm, Jessica Sandberg, Corey Murphy

Bugbee made a motion to approve the minutes of Executive Session 09-07-2018, second by Sundhagen. Roll Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Christianson made a motion to approve the minutes of 10-01-2018, second by Bugbee. Roll Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Commissioners Reports:

Christianson: Advised Commission Board that Jeff Moberg Water Superintendent spoke with KLM regarding the Water Tower and they have informed him that they will be coming out next spring to fix the issues. City Paralegal Stephanie Nygaard states that we could get a statement in writing or at least a confirmatory email. Christianson states that the building for the generator was received and will be placed when Moberg returns from training,

Bugbee: Advised Commission Board that she will be sitting with City Auditor Salinas to start the process of creating a job description and salary base for a Community Center worker. Bugbee also advised that Tribune is issuing the new sports books for Tioga schools and is looking for a \$75 City sponsorship. McClelland states this is done every year.

Bugbee made a motion to approve the sponsorship for the Tioga Schools Sports books made by the Tribune in the amount of \$75, second by Christianson. Roll Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Sundhagen: Handed Commission Board an exhibit of Dispatcher Crystal Sawyer's evaluation. Sundhagen is also seeking approval for raise in the step pay for Crystal Sawyer and Kelli Haider. Discussions held.

Sundhagen made a motion to table the approval of the raise in step pay for Crystal Sawyer and Kelli Haider until next meeting on 11-05-2018, second by Weflen. Call: Ayes; Christianson, Bugbee, Weflen, Sundhagen, McClelland

Sundhagen handed exhibit to Commission Board of Police Officer Josh Nelson's Promotion and raise recommendation to Sergeant step 0 effective 11-01-2018 and is seeking approval.

Sundhagen made a motion to promote Police Officer Corporal Nelson to Sergeant and give him a salary increase \$52,000 a year effective 11-01-2018, second by Weflen. Call: Ayes; Christianson, Bugbee, Weflen, Sundhagen, McClelland

Sundhagen advised Commission Board that the Police Department has received 2 qualified applicants that are still in training until December 1, 2018. Christianson suggested that we look at other alternatives such as hiring part time County Employees that will give City Police officers some relief. Discussions held. Sundhagen wrote letter to Salinas and read it.

Weflen: Advised Commission Board that Kirk Odegaard Street Superintendent has received several estimates for a new grader and handed exhibits for review. Discussions held. Weflen also states that effective this week 11-1-2018 City Landfill hours have changed to winter hours. The

landfill will be open only Tuesdays and Thursdays 9am to 6pm with an hour lunch. Weflen informed constituents that pricelist is on City web-site.

McClelland: Handed Commission Board exhibit of a list of Library Board members names that need to be appointed. City Paralegal stated that she needed to do some research before Commission Board appointed the Library Board members.

Modifications/Approval of Agenda:

Weflen made a motion to approve agenda for Commission Board Meeting as is, second by Christianson. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Old Business:

1. Legal – Stephanie Nygaard – Advised Commission Board that Grahams legal department is reviewing the contract for the new Police Department and it will be sent to City Attorney by the end of the week. Nygaard also advised Commission Board that Ordinance 2018-04 Assess Utility Bills is completed, Handed exhibit of Ordinance to Commission Board for 1st reading. ORDINANCE NO. 2018-04 AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 6 AND CHAPTER 9, ARTICLE 3 OF THE CITY OF TIOGA ORDINANCES; AN ORDINANCE AUTHORIZING FOR THE COLLECTION AND ASSESSMENT OF DELINQUENT UTILITY BILLS FOR WATER AND SEWER SERVICE AND FOR THE COLLECTION AND ASSESSMENT OF GARBAGE AND RUBBISH DISPOSAL FEES AND SERVICE. BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TIOGA, NORTH DAKOTA, AS FOLLOWS: RATES AND CHARGES – LIABILITY FOR The record owner of any premises where water or sewer service or garbage/rubbish service is supplied shall be deemed to be responsible for any delinquency or bills attributable to or given in favor of such premises, irrespective of whether said record owner shall occupy or inhabit the said premises. Owners of premises where water or sewer service or garbage/rubbish service is supplied shall notify the City Auditor's office in case any tenant moves from said premises, prior to such moving. In case said tenant moves from said premises to other premises in the city, and is therefore eligible to be supplied with water or sewer service or garbage/rubbish service, he shall be liable for the water or sewer service or garbage/rubbish service used at his former residence up to the time of moving, and the City in conjunction with the water department or other applicable department with the City shall take such measures to enforce the collection of such bills, as are provided for in the case of non-payment of other bills. In case said tenant moves away from said city or moves to some place within said city where he is not directly supplied by said such services through the City and refuses or neglects to pay said bills within fifteen (15) days after notice thereof, then and in that event the owner of the property for which said bill was rendered shall be liable for said bill, and the City shall take such measures to enforce connection of such bill, as are provided for in the case of non-payment of other bills, as described herein. The owner or owners of all real property in the city furnished water or sewer service or garbage/rubbish service or service line repairs/street cuts shall be responsible for the payment of any and all such charges, regardless of who the occupant or tenant may be. On request of the owner or owners the Water Superintendent or City Auditor will bill the occupant for such charges, but if such charges are not paid when due by the occupant or tenant, the owner or owners shall be responsible for such charges and they shall be assessed to the property served. It shall be the duty of the city auditor to certify to the county auditor such unpaid water or sewer service or garbage/rubbish service bills or service charges that are unpaid in the same manner and at the same time as other assessments are certified, and they shall be assessed and collected in the same manner. Policies for the Payment of Delinquent Utility Bills and for the Establishment of Delinquency Penalties, Disconnection and Reconnection Fees WHEREAS, The City Commission of the City of Tioga, North Dakota, declares it to be in the public interest to establish a policy regarding the payment of delinquent utility bills and for the establishment of delinquency penalties, disconnection and reconnection fees. NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Tioga, North Dakota, that the City of Tioga hereby enacts the following policy with regard to the payment of

municipal utilities. Any consumer of municipal utilities whose bill(s) shall remain unpaid after the 30th day of each month, shall then have a penalty added to said bill (an amount equal to 1.75 percent of the total utility bill). The City of Tioga shall send notice to on the 1st day of the following month to the consumer of said utilities and to the owner/landlord, where applicable, of the property to which utility services are provided, that a delinquency has occurred. Any consumer of municipal utilities whose bill(s) remains unpaid at 10:00 a.m. on the 10th day of the 2nd month of unpaid services shall have all municipal services provided under said billing(s) discontinued or disconnected. Any consumer of municipal utilities whose service has been disconnected or discontinued under the provisions of the preceding paragraph, shall not have the service reconnected or recommenced until all amounts due, for services rendered prior to and including the date of disconnect, plus applicable penalties, and the reconnection charge of \$80 have been paid in full. If the utility consumer is a tenant, the property owner/landlord will be sent a copy of the tenant's notice of Delinquency, at the time said Notice is sent to the consumer, with notification of the date services will be disconnected. If the tenant fails to make the specified payment as of the disconnect date, said owner/landlord will be responsible for payment of the utilities by that date.

Christianson made a motion to approve the 1st reading of Ordinance 2018-04 Assess City Utilities, second by Bugbee. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

2. Ackerman-Estvold: Steve Eberle – Informed Commission Board of the status for Simons Addition, Handed exhibit to Commission Board of change order #6 for a decrease in the amount of \$128,031.09 from BEK Consulting for review and consideration.

Weflen made a motion to approve change order #6 in the decreased amount of \$128,031.09 for adding new sidewalks to the Simons addition project from BEK Consulting, second by Christianson. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Handed exhibit to Commission Board of Final Pay Application #5 in the amount of \$126,041.31 from BEK Consulting for review and consideration for all final work completed on project.

Weflen made a motion to approve final pay application in the amount of \$126,041.31 for all final work completed in the Simons addition project from BEK Consulting, second by Sundhagen. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Eberle handed exhibit to Commission Board of letter to NDDOT regarding 2018 TAP to suspend work until next year, and informed them that TAP 2019 will be surveyed and wetland study will be within the next 4 weeks. Other projects Ackerman is currently working on are Water tower, Baseball field, CISRF. Eberle asked Commission Board if Commission Board seeks to approve agreement with County on cost share for the re-pavement of 105th. Discussion held.

Weflen made a motion to approve a shared project with Williams County for the completion of 105th Street from highway 2 to Signal Road, not to exceed \$1,000,000 for the 1-mile portion of road within City Limits, second by Christianson. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

3. Graham Construction- Austin Rollag – Advised the Commission Board of the status for the Community Center and handed Commission Board change order #3 for a credit of \$153.53 due to flooring change in the play area for review and consideration.

Sundhagen made a motion to approve change order #3 for a credit amount of \$153.53 for change in flooring in play area at the Community Center, second by Christianson. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Handed Commission Board change order #4 in the amount of \$1,545.59 for security door cover and roof ladder for review and consideration.

Christianson made a motion to approve change order #4 in the amount of \$1,545.59 for security door cover and roof ladder at the Community Center, second by Sundhagen. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Handed Commission Board change order #5 in the amount of \$147,855.42 for an Ice-skating rink (\$120,831.46), Polished concrete (\$25,742.95), floor outlet in lobby (\$1,281.01) and wall hydrant (\$0.00) for review and consideration. Discussions held.

Sundhagen made a motion to approve change order #5 in the amount of \$147,855.42 for Ice-skating rink (\$120,831.46), Polished concrete (\$25,742.95), floor outlet in lobby (\$1,281.01) and wall hydrant (\$0.00), second by Weflen. Call: Ayes; Sundhagen, Weflen Nays; Christianson, Bugbee, McClelland
Christianson made a motion to approve change order #5 without the ice-skating rink in the amount of \$27,023.96 for Polished concrete (\$25,742.95), floor outlet in lobby (\$1,281.01) and wall hydrant (\$0.00) until more information is received on the project, second by Bugbee. Call: Ayes; Christianson, Bugbee, Weflen, McClelland Nays; Sundhagen

Handed Commission Board change order #6 in the amount of \$36,091.39 for dumpster enclosure for review and consideration. Discussions held.

Christianson made a motion to approve change order #6 in the amount of \$36,091.39 for dumpster enclosure, second by Bugbee. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Handed Commission Board exhibit of Pay Application #7 for review and consideration in the amount of \$401,659.17 for work completed at the Community Center in the month of September, EDC and EAPC have reviewed and recommend approval. Discussions held.

Sundhagen made a motion to approve Pay Application #7 in the amount of \$401,659.17 for work completed at the Community Center the month of September, second by Christianson. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

New Business:

4. Western Area Water Supply – (Introduction to new Executive Director) No Show
5. Planning & Zoning – Larson handed an exhibits to Commission board of building applications from KDAC LLC to build 2 new homes. Planning and Zoning Board has reviewed applications, state all paperwork is in order and recommend approval.
Bugbee made a motion to approve the Building Applications from KDAC LLC, second by Weflen. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland
6. Local Charity Permit Application – Salinas handed exhibit of Local Charity Permit Application from White Earth Saddle Club for Bingo for review and consideration.
Sundhagen made a motion to approve the Local Charity Permit Application from White Earth Saddle Club for Bingo, second by Bugbee. Call: Ayes; Christianson, Bugbee, Sundhagen, McClelland Abstained; Weflen
7. Tioga Fund Application – Salinas handed exhibit of Tioga Fund Application in the amount of \$2,000.00 from Tioga Halloween Committee for the Annual Halloween Community Event to be held at the Tioga High School in October. Tioga Fund Board advised Commission Board that they have reviewed application and recommend approval.
Weflen made a motion to approve the Tioga Fund Application in the amount of \$2,000.00 from the Tioga Halloween Committee for the Annual Halloween Community Event in October, second by Sundhagen. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland
8. Payroll - Salinas handed exhibit to Commission Board of payroll for 10-05-2018 for review and consideration.
Sundhagen made a motion to approve payroll for 10-05-2018, second by Weflen. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland
9. Bills – Salinas handed exhibit to Commission Board of bills for October 2018.
Sundhagen made a motion to approve October 2018 bills, second by Christianson. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland
10. Financials - Salinas handed exhibit to Commission Board of City of Tioga Financials for September 2018,
Weflen made a motion to approve Balance Sheet for September 2018, second by Sundhagen. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland
Sundhagen made a motion to approve Fund Summary for September 2018, second by Christianson. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

With no further business, the meeting of the Tioga City Commission was adjourned by unanimous vote moved by Christianson, second by Bugbee at 9:48 p.m. call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

The next meeting of the City of Tioga Commission Meeting is scheduled for Monday November 5, 2018 at 7:00 p.m., to be held at the Tioga City Hall.

Drake McClelland, City Commission President

ATTEST:

Abby Salinas, City Auditor