

**CITY OF TIOGA**  
City Commission Meeting Minutes  
February 20, 2018

A meeting of the City Commission of the City of Tioga was called to order at 7:00 pm on February 20, 2018, at the Tioga City Hall, by President of the City Commission Drake McClelland.

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

ABSENT: Todd Thompson

GUEST: Dan Larson, Cecile Wehrman, Austin Alexander, James Morken, Bob Anderson, Wayne Knutson, Jeff Moberg, Tracie Papineau

**Sundhagen made a motion to approve the minutes of February 5, 2018, second by Weflen. Roll Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

**Weflen made a motion to approve the minutes of January 29, 2018 Special Meeting, second by Sundhagen. Roll Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

**Commissioners Reports:**

Thompson: Absent

Bugbee: None

Sundhagen: Advised Commission Board that interviews for new Police Officer will be taking place and that he will be attending the County 1% Board meeting to present them with the Police Station Plans.

Weflen: None

McClelland: None

**Modifications/Approval of Agenda:**

**Sundhagen made a motion to approve agenda with no changes, second by Weflen. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

**Old Business:**

1. Legal – Elizabeth Pendlay – Advised Commission Board that she is currently working on large animals within City limits, questions on Pine Ridge, Planning & Zoning Ordinance, and other matters that are on agenda.
2. Jim Morken – Request for fines to be refunded from May 23, 2013 – Morken advised Commission Board on the reasons that he felt a fine he paid in 2013 should be returned to him, discussions held.  
**Sundhagen made a motion to deny request for refund, second by Weflen. Roll Call: Ayes; Sundhagen, Weflen, McClelland Abstained; Bugbee**
3. Ackerman-Estvold: Austin Alexander – Advised Commission Board of the status for the Master Lift station, it is currently running but the heater pumps went out and that caused some issues. Will give update next week. Also advised Commissioners that other projects currently being work on are Simmons addition, Warranty work, TAP Program, Annabelle surveying and possible grant for future work.

**New Business:**

4. City News Paper – Tioga Tribune Owner Cecile Wehrman – presentation was given on the continued status on publication of the Tioga Tribune. Wehrman states that after the loss of employees it put the local publication in jeopardy of closing. Since then Wehrman states she has rearranged some things and hired new staff to assist her with the continued publication of the Tribune locally. Although the

Tribune is for sale it is not going bankrupt and if in the future more changes are needed she will request a hearing with the Commission Board once more.

5. Executive Session - Attorney Client consultation regarding procedural and strategic legal matters pertaining to AE2S vs Tioga and Rice Lake vs Tioga NDCC 44-04-19.1

**Sundhagen made a motion to go into Executive Session at 7:58 to consult with Attorney on procedural and legal matters pertaining to AE2S vs Tioga and Rice Lake vs Tioga NDCC 44-04-19.1, second by Bugbee. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

**8:35pm Reopened Commission Meeting McClelland advised public no actions taken.**

6. Supplementation of Public Records – City Attorney Pendlay advised Commission Board that during a conversation with Sundhagen and Salinas it was discovered that supplementing of prior open meeting minutes were needed and will also need to be published she also handed Commissioners exhibit of index on Open Meeting opinions as of February 17, 2018 for a resource if needed. Salinas handed exhibit of meeting minutes for 05-01-2017 Doc 1

**Sundhagen made a motion to approve meeting minutes for 05-01-2017 Doc 1, second by Weflen. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

Salinas handed exhibit of meeting minutes for 05-01-2017 Doc 2

**Sundhagen made a motion to approve meeting minutes for 05-01-2017 Doc 2, second by Weflen. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

Salinas handed exhibit of meeting minutes for 05-01-2017 Doc 3

**Sundhagen made a motion to approve meeting minutes for 05-01-2017 Doc 3, second by Weflen. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

7. Planning & Zoning – Larson handed exhibit to Commission board of application for a Sub-division in Annabelle, Planning and Zoning Committee advised Commission Board that they have reviewed the application request for Sub-division of properties in Annabelle and recommend approval to readjust property lines for lots 1, 2 and 3

**Sundhagen made a motion to approve the Sub-division of property lines for lots 1, 2 and 3, second by Weflen. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

Larson handed exhibit of Building Permit Application from Dee Pressnall, Planning and Zoning Committee advised Commissioner Board that they have reviewed application and recommend approval.

**Sundhagen made a motion to approve the Building Permit Application for Dee Pressnall, second by Weflen. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

Larson handed exhibit of Re-zone Application from General Lee's, Planning and Zoning Committee advised Commissioner Board that they have reviewed application and recommend approval and zone change to C1 on entire block. Planning and Zoning also recommend approval of a conditional use permit for Contractor use and material storage. Discussions held.

**Sundhagen made a motion to approve the application for General Lee's Re-zone and entire block to a C1, second by Bugbee. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

**Sundhagen made a motion to table Conditional Use Permit until an application for condition use is filled out which is separate and fees are paid, second by Bugbee. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

Larson handed exhibit of Conditional Use Application from Hess, Planning and Zoning Committee advised Commissioner Board that they have reviewed application and recommend approval. Hess states that they will remove building structure by the end of summer 2018 and will not renew the Conditional Use Permit for following year.

**Sundhagen made a motion to approve the Conditional Use Application from Hess for removal of building structure by end of summer 2018, second by Weflen. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

Larson handed exhibit of Side Walk Cut Permit Application from Bob Anderson, Planning and Zoning Committee advised Commissioner Board that they have reviewed application and recommend approval. Larson advised that City Engineer has reviewed Plans and can be done, discussions held.

**Sundhagen made a motion to approve the Side Walk Cut Permit Application for Bob Anderson, second by Bugbee. Call: Ayes; Bugbee, Sundhagen, McClelland Nays; Weflen**

8. Tioga Fund Applications – Salinas handed exhibit of Tioga Fund application from Tioga Recreation Council in the amount of \$9,040 for 2018 Basketball Camp.

**Sundhagen made a motion to approve the Tioga Fund application from Tioga recreation Council in the amount of \$9,040, second by Weflen. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

Salinas handed exhibit of Tioga Fund application from Tioga After Prom Committee in the amount of \$275 for High School After Prom Event.

**Sundhagen made a motion to approve the Tioga Fund application from Tioga After Prom Committee in the amount of \$275, second by Bugbee. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

9. Maintenance and Non-Encroachment Agreement – Salinas handed exhibit of Maintenance and Non-Encroachment Agreement from NDDOT, discussions held.

**Weflen made a motion to approve Signing the Maintenance and Non-Encroachment Agreement with NDDOT, second by Sundhagen. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

10. Payroll - Salinas handed exhibit to Commission Board of payroll for 02-20-2018,

**Weflen made a motion to approve payroll for 02-20-2018, second by Sundhagen. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

11. Bills – Salinas handed exhibit to Commission Board of bills for February 2018 bills

**Sundhagen made a motion to approve February 2018 bills, second by Bugbee. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

12. Financials - Salinas handed exhibit to Commission Board of City of Tioga Financials for January 2018,

**Sundhagen made a motion to approve Balance Sheet for January 2018, second by Weflen. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

**Weflen made a motion to approve Fund Summary for January 2018, second by Sundhagen. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

13. End of Year 2017 – Salinas handed exhibit of End of year 2017 for review and approval.

**Bugbee made a motion to approve End of Year 2017, second by Sundhagen. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

**Sundhagen made a motion to approve budget amendments for 2017, second by Bugbee. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

**With no further business, the meeting of the Tioga City Commission was adjourned by unanimous vote moved by Sundhagen, second by Weflen at 9:47 p.m. call: Ayes; Bugbee, Sundhagen, Weflen, McClelland**

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

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Drake McClelland, President of the City Commission

ATTEST:

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Abby Salinas, City Auditor