

**CITY OF TIOGA**  
City Commission Meeting Minutes  
February 20, 2024  
<https://youtu.be/23NXwJlkXXw>

A meeting of the City Commission of the City of Tioga was called to order at 7:00 pm on February 20, 2024, at the Tioga City Hall, by the City Commission President Kevin Litten.

**Present:** Kevin Litten, Tim Christianson, Jessica Sandberg, Larry Maize, Elizabeth Pendlay (Zoom), Abby Salinas

**Absent:** Shawn Travis

**Guest:** Judy Odegaard, Josh Reiner, Dan Larson, Joshua Nelson, Joel Shaffett, Wendy Lenzen, Ricki Raan, Bob Anderson, Jeffery Moe Jr., Ronda Davidson, Norma Brilz, Noreen Knutson, Karen Vetsch, Veronica McGinnity, Jessica Johnson, Jalin Iain, Madison Ramberg, Trey Ramberg, Darci Grosche, Scott Grosche, Rochelle Raan, Megan Ward, Loralai Hall, Hayley Long, Mallory Difelice, Josh Reiner, Sara Wagner, Joel Black, Fran Stewart, Glenda Lovdahl, Katie Lee, Irene Ardueser, Richard Hurley, Madikhi Lennsen, Ronica Pederson, Curtis Vande Sandt, Tyler Judkins, Following Attended Via Zoom: Barry Ramberg, Laney King, Heidi Holmen, Kelley O’Cain, Katelyn Paxton, Crystal Sawyer, Alecia Dahlquist, Brittiany Knutson, Alexandra Anderson, Eden LeRohl, Allison, Lamar, iPhone (5), Samsung SM-S134DL, Samsung SM-S926U, iPad, Free Izzy, Lindsay, Naomi Smithberg, iPhone (14), E, Dawn Vail, Sheridans iPhone, Dell, Samsung SM-A716V, Nick, Kristine North Dakota, Kinzi, Ethan, iPhone (2), Surface Pro, Eric, Carly, Sara’s iPhone (2), Sheridan, Kim, Kaitlyn’s iPhone, Walker Koropatnicki, Clayton goforth,

**Pledge of Allegiance:** I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

**Minutes:** Salinas handed exhibit of minutes from February 5, 2024, to Commission Board for their review and consideration.

**Christianson made a motion to approve the Commission Minutes of February 5, 2024, with no errors and omissions, second by Maize. Roll Call: Ayes; Christianson, Sandberg, Maize**

**Commissioner’s Report:**

Christianson: Advised Commission Board that the Water Department Superintendent is tying up loose ends before retiring. The City received a report for the water tower with correction that will be needing to be addressed in 18-24 months. New employees are being trained in and at the next meeting the Water superintendent will provide an estimate for a new vehicle.

Travis: Absent

Sandberg: Advised Commission Board that at next meeting they will be presenting an estimate for a new PD Vehicle.

Maize: None

Litten: Advised Commission Board that April 15, 2024 at 5:30pm there will be an Equalization Meeting, there will be no Commission Meeting on March 18, 2024 at 7pm and, City Hall will be closing at 2pm on March 20, 2024 due to staff in training.

**Modifications/Approval of Agenda:**

**Christianson made a motion to add to the agenda under new business #11 90-Day Evaluation and Raise Recommendation and #12 Estimate for Snow Signs then approve the agenda with the changes made, second by Maize. Call: Ayes; Christianson, Sandberg, Maize**

**Old Business:**

1. Legal – Pendlay – Advised Commission Board of projects she is currently working on with the City to include some changes in 2 ordinances.
2. Engineer Report – Josh Reiner – Advised Commission Board that Moore Engineering has hired a new employee that will be assisting Reiner as needed. Also gave update of construction projects, will be presenting a Tioga Dam trail change to include a new floating bridge for pedestrians at next meeting. Reiner handed exhibit to Commission Board for their review and consideration of North Main Street Reconstruction contract and liquidated damages review.

**Christianson made a motion to approve liquidated damages for the new North Main Street Reconstruction contract, Second by Sandberg Call: Ayes; Christianson, Sandberg, Maize**

Reiner also handed exhibit to Commission Board for their review and consideration of the plans and specifications.

**Christianson made a motion to approve the plans and specifications for the new North Main Street Reconstruction contract, Second by Maize Call: Ayes; Christianson, Sandberg, Maize**

Reiner handed an exhibit to the Commission Board for their review and consideration of the Drainage Study in new park area South of the tracks. Pendlay has reviewed and contract is okay to sign.

**Maize made a motion to approve signing Task Order #8 with Moore Engineering for the Southwest Tioga Drainage Study, Second by Sandberg Call: Ayes; Christianson, Sandberg, Maize**

3. Park Board Request for Jurisdiction – Salinas handed exhibit to Commission Board for their review and consideration of a letter written by the Tioga Park Board requesting jurisdiction over the Odegaard Park and the Pioneer Park.

**Sandberg made a motion to give complete authority and decision making over Odegaard Park and Pioneer Park but land will remain under the City of Tioga's name, second by Maize. Call: Ayes; Christianson, Sandberg, Maize**

**New Business:**

4. Tioga Airport Authority (TAA) Update – Jeffery Moe Jr. (Tioga Airport Board President) – Advised Commission Board of new F-Tap Program that he is currently working on with the State Aeronautics Commission which would help the Tioga Airport in Training in new Pilots at no cost to the Pilot trainees. Moe stated that the TAA Board is excited to present this and even though it has not been advertised yet he already has 7 interested Pilot trainees. Also Advised the Commission Board that the 2023 taxi lighting and micro seal projects were pushed to 2024 and should be completed mid-summer. Moe also stated that the TAA Board is looking at some options promoting the Tioga Airport during the 4<sup>th</sup> of July festivities.

5. Tioga Fund Applications – Salinas handed exhibit to Commission Board for their review and consideration of a Tioga Fund Applications from Tioga Chamber of Commerce in the amount of \$25,000 for operating expenses, an Application from Tioga Historical Society in the amount of \$25,000 for the expansion of the Norseman Museum and an application from Tioga After Prom Committee in the amount of \$500 for the after-prom Event. Tioga Fund Board has reviewed applications and recommends approval.

**Christianson made a motion to approve the Tioga Fund Applications from Tioga Chamber of Commerce in the amount of \$25,000 for operating expenses, the Application from Tioga Historical Society in the amount of \$25,000 for the expansion of the Norseman Museum and the application from Tioga After Prom Committee in the amount of \$500 for the after-prom Event, second by Maize. Call: Ayes; Christianson, Sandberg, Maize**

6. K-9 - Walker Korpatnicki – Advised Commission Board that he is seeking authorization to take the trained Tioga K-9 with him. Koropatnicki stated that he has grown a bond with K-9 in the 3 months that he has cared for her and feels that he should be able to purchase and keep her because she has anxiety being away from him. A letter written from K-9 trainer and current Police Chief of West Fargo (also Koropatnicki's current employer) stated that he recommends the K-9 stay in Tioga if it can go to a new handler, he also stated in a conversation that he would never have sold a dog to be K-9 trained if

it had anxiety because of the type of training it is subjected to and that Koropatnicki would not be considered as a K-9 handler at this time due to there is an extensive waiting list and it would be years before he could even be considered to be a K-9 Handler in his new employment at West Fargo. Josh Nelson (Tioga Police Chief) presented exhibits to the Commission Board for their review and consideration of timeline of events from when Nelson presented the K-9 Program in 2022, till end of Koropatnicki employment, the Tioga K-9 Policy accepted and signed by Koropatnicki, the K-9 Job Description accepted and signed by Koropatnicki, the grant application and information for K-9, and introduced the new K-9 Handler of Tioga to the Commission Board and constituents.

**Christianson made a motion to have the Tioga Police Department K-9 stay in Tioga with new handler, second by Sandberg. Call: Ayes; Christianson, Sandberg, Maize**

7. Gaming Site Authorization – Salinas handed exhibit to Commission Board for their review and consideration of a gaming site authorization application from American Foundation for Wildlife at location of Tioga Sunrise Hotel, LLC for Pull tab dispenser and electronic pull tab device.

**Christianson made a motion to approve a gaming site authorization application from American Foundation for Wildlife at location of Tioga Sunrise Hotel, LLC for Pull tab dispenser and electronic pull tab device, second by Maize. Call: Ayes; Christianson, Sandberg, Maize**

8. Ordinance 2024-01 Update Chapter 20 Trees 1<sup>st</sup> Reading – Salinas handed exhibit to Commission Board for their review and consideration of Ordinance 2024-01 Update Chapter 20 Trees. AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 20 (“TREES”), OF THE CITY OF TIOGA ORDINANCES; AN ORDINANCE GOVERNING TREES BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TIOGA, NORTH DAKOTA, AS FOLLOWS: CHAPTER TWENTY TREES ARTICLE 1 – TREES 20.0103 Authority and Jurisdiction of the City Forester The authority and jurisdiction of the City Forester shall be as follows: The City Forester shall have the authority and jurisdiction, through the Board, to regulate the planting, maintenance, protection, and removal of all trees on streets and other public places to ensure safety or preserve the esthetics of such streets and public places. The City Forester shall have the authority to make known, with the approval of the Tree Committee, the rules and regulations of the Arboricultural Specifications and Standards of Practice governing the planting, maintenance, protection, and removal of trees as specified on the streets and public areas of the City of Tioga. The City Forester shall have the authority to supervise all work done under any permit, issued in accord with the terms of this ordinance. Before any person may plant a tree in any boulevard, public way, he shall obtain prior authorization or permit from the City of Tioga Community Service Director. The Types of trees that can be planted and the location for the trees shall be determined by the City of Tioga in accordance with the standards established by the city Commission following the guidelines of the NDSU, North Dakota State Forest Service recommended trees for North Dakota Communities. Trees shall be planted on the center line between the curb line at the front edge of the sidewalk. Where the sidewalk does not exist, a five (5) foot allowance will be made along the property line to accommodate future sidewalk construction. In no case shall a tree be planted within three (3) feet of the curb line. All trees planted hereafter on the boulevard of the City shall be planted by and at the expense of the owner abutting lands thereon. Such trees not planted or provided for under 20.0103.4 will be removed at owner’s expense.

**Sandberg made a motion to approve the reading of Ordinance 2024-01 Update Chapter 20 Trees 1<sup>st</sup> Reading, second by Maize. Call: Ayes; Christianson, Sandberg, Maize**

9. Ordinance 2024-02 Update Chapter 10 Animal and Fowl 1<sup>st</sup> Reading – Salinas handed exhibit to Commission Board for their review and consideration of Ordinance 2024-02 Update Chapter 10 Animal and Fowl. AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 10 (“ANIMAL AND FOWL”), OF THE CITY OF TIOGA ORDINANCES; AN ORDINANCE GOVERNING TREES BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TIOGA, NORTH DAKOTA, AS FOLLOWS: CHAPTER TEN ANIMAL AND FOWL ARTICLE 1 – DOGS AND CATS 10.0102 Raising and Keeping of Animals Generally It shall be unlawful to keep any live animal within the city limits except as described in this article. The following animals may be kept within the city limits of Tioga. Domestic dogs and cats, pursuant to the provisions of this chapter. Common indoor pets, such as aquarium fish, nonpoisonous reptiles and amphibians,

and other common indoor pets and animals such as hamsters, mice, birds, which animals shall remain indoors at the owner's residence or business, and up to two (2) pet rabbits and their offspring until the offspring are not dependent upon the mature animal for survival, which rabbits may be kept in an outdoor hutch and pen which is sanitary and kept odor free. A horse, mule, jackass, goat, or other animal kept as a family pet may be kept within the following zoning districts: Agricultural, provided there is a minimum of one (1) acre available for the first four (4) animal units, and no more than one (1) additional animal unit per acre of land over five (1) acres. The City Commission, by resolution, may allow temporary or seasonal keeping of animals or livestock when the city commission determines that it is in the best interests of the City to allow such keeping of animals within the City limits for a seasonal or temporary duration not to exceed six (6) months. The City Commission may, by resolution, after notice to property owners within one hundred fifty (150) feet of the applicant's property and after public hearing, allow the use of Agricultural (A) property for livestock purposes on such conditions as the commission deems appropriate. It must be stated in the resolution that such use is of lower priority and may be terminated by the commission at any time, and the commission shall terminate such use if any problem with health, safety, odor, or noise develops regardless of the fact that adjacent or surrounding development moves to an area where such use is being allowed. Any animal for exhibition or display purposes such as fairs, circuses, animal displays, or special exhibitions, which displays or exhibitions do not exceed seven (7) days annually, including the use of horses or other trained animals in parades. Permitted fowl shall mean chickens, (roosters shall not be allowed) ducks, doves, pigeons or quails are permitted pursuant to this section. An individual may maintain, keep or house permitted fowl for nonindustrial, non-commercial purposes within the City limits in Residential Zones r-1, R-2a, MHD and R-2M only, subject to the following limitations and conditions: The individual has obtained letters and provided the City from all owners of real property located within fifty (50) feet of the exterior real property boundary line of the property where such permitted fowl will be maintained, kept or housed. The individual has applied for and obtained a permit from the Community Service Director, or the Director's designee for the permitted fowl. In his/her determination of whether to issue a permit, the Director or designee shall consider the impact of noise, odor, sanitation and the public health, safety and welfare upon neighboring properties, the neighborhood and the City. The total number permitted fowl that may be maintained, kept, or housed at any one location shall not exceed eight (8). A permit issued in accordance with this section shall expire on December 31 of the year in which such permit is issued and may be bi-annually (every other year) renewed provided the requirements of limitations and conditions set forth in this section are satisfied, The Director or designee may revoke or suspend any permit issued under this article when it is determined that any of the requirements, limitations or conditions for issuance of a permit are no longer complied with or it is determined the maintain of permitted fowl has become a public nuisance as described in section 10.0205. Except otherwise provided in this article, any person who owns or keeps at any time within the limits of the City any unauthorized fowl of any kind shall be deemed guilty of maintaining a public nuisance of such fowl is not removed from the City limits within ten (ten) days after notice. Each day's continuance of such nuisance shall be a separate offense. 10.0205 Nuisance - When and Penalties 1. The animals exhibiting the following behavior shall be considered a nuisance: a. Excessive, continuous, or untimely barking, howling, braying, crowing or other sounds common to its species; or by reason of failure of the owner to maintain all structures, pens, coops, or yards wherein any animal or fowl is kept, in a clean and sanitary condition devoid of rodents and vermin, and free from all objectionable odors b. Molesting passersby c. Chasing vehicles d. Habitually attacking other domestic animals e. Trespassing upon school grounds or trespassing upon private property f. Damaging property by a dog or cat is hereby declared to be a nuisance g. Not having a valid license and collar h. Dog or Cat Droppings in private or public places 2. The owner of a dog, cat, fowl, or any other pet mentioned in this chapter that is in violation of this section may be cited for an infraction, upon receipt of a signed complaint or if the violation was on view of an animal warden and/or police officer. The penalties for such violation are as follows: a. First Offense: a fifty-dollar (\$50.00) fine; b. Second Offense: a one hundred dollars (\$100.00) fine; c. Third Offense: one hundred fifty dollars (\$150.00)

fine; d. Fourth Offense: Said animal shall be forfeited to the City and shall be entered in an adoption program (if applicable) or humanely destroyed.

**Sandberg made a motion to approve the reading of Ordinance 2024-02 Update Chapter 10 Animal and Fowl 1<sup>st</sup> Reading, second by Maize. Call: Ayes; Christianson, Sandberg Maize**

10. Estimate for Signage for Community Center – Salinas handed exhibit to Commission Board for their review and consideration for outdoor signage from Indigo Signs in the amount of \$92,995.

**Maize made a motion to table this approval until further review, second by Sandberg. Call: Ayes; Christianson, Sandberg Maize**

11. Employee 90-day Probation Ending – Salinas handed an exhibit to the Commission Board for their review and consideration of the 90-day Employee Evaluation for Nickolas Oster.

**Sandberg made a motion to approve the ending of the 90-day probation for Nickolas Oster, second by Christianson. Call: Ayes; Christianson, Sandberg, Maize**

12. Estimate for Snow signs – Salinas handed an estimate to the Commission Board for their review and consideration from 3D Specialties for new snow signs for City in the amount of \$2,839.40 to place around town for snow emergencies and routes.

**Sandberg made a motion to approve the estimate from 3D Specialties for new snow signs for town in the amount of \$2,839.40 to place around town, second by Christianson. Call: Ayes; Christianson, Sandberg, Maize**

**Consent Approval:**

13. Payroll for February 7, 2024– Salinas handed exhibit to Commission Board for their review and approval of payroll for February 7, 2024.

14. Financials for January 2024 – Salinas handed exhibit to Commission Board for their review and consideration of Financials for January 2024.

**Maize made a motion to approve the consent agenda that consists of Payroll for February 7, 2024, and Financials for January 2024, second by Christianson. Call: Ayes; Christianson, Sandberg, Maize**

**With no further business, the meeting of the Tioga City Commission was adjourned by unanimous vote moved by Maize, second by Sandberg at 8:49 p.m. call: Ayes; Christianson, Sandberg, Maize.**

The next meeting of the City of Tioga Commission Meeting is scheduled for Monday March 4, 2024, at 7:00 p.m., to be held at the Tioga City Hall.

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Kevin Litten, Tioga Commission President

ATTEST:

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Abby Salinas, Tioga City Administrator/Auditor