

CITY OF TIOGA

City Commission Meeting Minutes

April 1, 2024

<https://youtu.be/GTIMUAon8Fg> and <https://youtu.be/MiLJxoKGAr0>

A meeting of the City Commission of the City of Tioga was called to order at 7:00 pm on April 1, 2024, at the Tioga City Hall, by the City Commission President Kevin Litten.

Present: Kevin Litten, Tim Christianson, Jessica Sandberg, Larry Maize, Elizabeth Pendlay, Abby Salinas

Absent: Shawn Travis

Guest: Judy Odegaard, Dan Larson, Joshua Nelson, Ricki Raan, Barry Ramberg, Chuck Stewart, Nicolas Oster, Rick Gerwien, Bruce Lovedahl, Cody Normark, Bob Anderson, Josh Reiner, Haley Felber

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 Commission Meeting on March 4, 2024 to Commission Board for their review and consideration.

Christianson made a motion to approve the Commission Minutes of March 4, 2024 with no errors and omissions, second by Sandberg. Roll Call: Ayes; Christianson, Sandberg, Maize

Commissioner's Report:

Christianson: None

Travis: Absent

Sandberg: None

Maize: None

Litten: None

Modifications/Approval of Agenda:

Sandberg made a motion to add to the agenda under new business #10 Estimate for Fix on Police Department Garage Door and #11 Resolution 2024-06 Trapping in Tioga City Limits, 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 the Resolution for the Trapping that will be read today and some City litigation issues.
2. Engineer Report – Josh Reiner (Moore Engineering) – Josh advised Commission Board of Projects currently working on. Tioga Dam Emergency Action Plan update and handed exhibits to Commission Board for their review of Hydraulic and Geotechnical Evaluation then a presentation was given to review report, also an update on the Tioga Dam Recreational Trail and update on the Tioga Dam Crossing. Update on the North Main Street Reconstruction Project, bid price came back Crow River being the lowest bid at \$3,586,530 (with alt 1 **-\$20,500**) bring price to \$3,566,030.00. Reiner recommends to award project to Crow River and sign notice to proceed. Discussions held.
Christianson made a motion to approve awarding project to Crow River Construction with alt 1 in the amount of \$3,566,030.00 and sign notice to proceed, second by Sandberg. Call: Ayes; Christianson, Sandberg, Maize
Reiner also gave update on Southwest Drainage Study.
3. Community Center Director Update – Felber advised Commission Board that due other obligations 3 more community members have decided to no longer be on the Community Center Building Committee leaving their quorum to four (4). Felber handed exhibit to Commission Board for their

review and consideration of the estimated cost for Community center with possible 5 alternate additions that the committee would like to see added.

Sandberg made a motion to approve the Tioga community Center budget with the add on alternates of 1. South Parking – asphalt paving, 2. Revise resilient flooring in gym to wood floor, 3. Removable Turf Flooring, 4. Batting Cage, and 5. Gym Bleachers for a total of \$16,115,164.00, second by Maize. Call: Ayes; Christianson, Sandberg, Maize

Felber handed exhibit to Commission Board for their review and consideration of estimates for signage at the Community Center.

Christianson made a motion to approve Estimate from Indigo Signs in the amount of \$79,995 to purchase a new double face Daktronics message board sign, second by Maize. Call: Ayes; Christianson, Sandberg, Maize

Felber handed exhibit to Commission Board for their review and consideration of estimates for resurfacing and fixing the hockey rink at the Community Center.

Christianson made a motion to approve Estimate from Concrete Coatings 360 in the amount of \$78,571 to resurface and fix the hockey rink at the Community Center, second by Maize. Call: Ayes; Christianson, Sandberg, Maize

New Business:

4. Street Signs/Ricki Raan – Advised Commission Board that there are too many stop signs and he has had several people complain to him regarding the amount of stops signs that are going up in Tioga. Raan would like to see what can be done to minimize the number of signs in Tioga. Salinas stated that some of these stop signs were authorized by previous Commissions but the signs have been recently ordered and placed. Commission President Litten also explained that in the past there were some NDCC regulations that were not being followed correctly so changes have been made to be up to code, but if Raan can give them a list of what signs he would like the Commission and Police Department to review, he will make sure that they take a closer look to see if they are needed.
5. Visitor Promotion Applications – Salinas handed exhibits to Commission Board for their review and consideration of Visitor Promotion Applications from Tioga Historical Society for building expenses of the museum expansion in the amount of \$10,000, and an application from City of Tioga for downtown flowers in the amount of \$5,524.77.
Sandberg made a motion to approve the Visitor Promotion Applications from Tioga Historical Society for building expenses of the museum expansion in the amount of \$10,000, and an application from City of Tioga for downtown flowers in the amount of \$5,524.77, second by Maize. Call: Ayes; Christianson, Sandberg, Maize
6. Publication of City Minutes – Salinas advised City Commission that the County would like to know if the City would like to place the publication of City Commission Minutes on the ballot.
Maize made a motion to place the publication of City Commission minutes on the ballot, second by Christianson. Call: Ayes; Christianson, Sandberg, Maize
7. Fuel Station – Salinas handed exhibit to Commission Board for their review and consideration of estimate from O'day Equipment for a fueling station in the amount of \$373,455.64. Discussions held.
Sandberg made a motion to approve the estimate from O'day Equipment for a fueling station for the City in the amount of \$373,455.64, second by Maize. Call: Ayes; Christianson, Sandberg, Maize
8. Estimate for Staff Training – Salinas handed exhibit to Commission Board for their review and consideration of estimate for staff training for confined spaces, fall protection and OSHA 10.
Christianson made a motion to approve training classes up to \$6,000, second by Maize. Call: Ayes; Christianson, Sandberg, Maize
9. Resolution 2024-05 Publication of Official Minutes – Salinas advised Commission Board that she spoke with County Auditor Beth Innis and all that was needed was an approval from Commission Board not a resolution.

10. Estimate for Police Department Garage Door – Salinas handed exhibits to the Commission Board for their review and consideration of estimate from Overhead Door Co of Minot to fix the Police department garage door in the amount of \$2,500.

Sandberg made a motion to approve the estimate from Overhead Door Co of Minot to fix the Police department garage door in the amount of \$2,500, second by Maize. Call: Ayes; Christianson, Sandberg, Maize

11. Resolution 2024-06 Trapping in City of Tioga – Salinas handed exhibit to Commission Board for their review and consideration of Resolution 2024-06 Trapping in City of Tioga which reads as follows: BE IT RESOLVED, by the City Commission of the City of Tioga, Williams County, North Dakota: A RESOLUTION authorizing and clarifying application process for trapping in and upon lands owned by the City of Tioga. WHEREAS, the City of Tioga (“the City”), Williams County, North Dakota, is a municipal corporation, organized and existing under the laws of the State of North Dakota; and WHEREAS, the City endeavors to ensure the safety, wellness, and quality of life of its citizens and residents; and WHEREAS, in order to advance and support the public’s health, wellness, quality of life, especially as those matters pertain to outdoor recreation activities, the City desires to clarify and create orderly process for the use of lands owned and managed by the City to support those public goals and interests; and WHEREAS, in the fall of 2023, members of the public have expressed interest in utilizing various City-owned public lands for trapping furbearing animals, to the degree that the laws of the State of North Dakota permit such activities, and the City desires to permit its community members such outdoor recreation activities where feasible and appropriate; and WHEREAS, in light of the foregoing, the City herein establishes the following application process for permission to trap furbearing animals on City lands: NOW THEREFORE, the City sets forth the following terms and process for permission to trap upon municipal lands: 1. The party wishing to secure permission to trap upon City-owned lands (“the applicant”) must submit to the City, in writing, the following information: a. The first, middle and last name of the applicant; b. The applicant’s physical and mailing address; c. The applicant’s phone number; d. The applicant’s email address; e. The applicant’s date of birth; f. The dates in which the applicant requests use of the lands at issue in the application; g. A list identifying the furbearing animal(s) sought to be trapped; h. A detailed description(s) and/or drawing(s) identifying the area(s) in which the applicant wishes to engage in trapping activities. The applicant is encouraged to attach a map depicting the proposed trapping area and generalized placement of traps and trapline. This description/drawing should identify roadways, intersections, and show the location of any 2 adjacent, contiguous, or near-existing residential or commercial properties, parks, or other areas regularly used by others; and i. A description of the type/nature, number, and placement of traps/traplines intended to be used, together with a statement regarding the schedule for checking, maintaining, and repairing/resetting such traps. 2. The applicant must certify, in writing, as follows: “I have carefully reviewed all county, state and federal laws, ordinances and regulations, pertaining to trapping in the State of North Dakota, including, without limitation, those statutes set forth under Chapter 20.1-07, NDCC, and any terms and provisions of Governor’s Proclamations issued in accordance with the provisions of Chapter 20.1-08, NDCC, applicable to the year or season in which such activities are proposed to occur, and I certify that I am in compliance and shall remain in compliance with all such laws, rules, ordinances, and regulations for the proposed trapping activities described hereunder. I further understand that it is my responsibility to comply with all such laws, rules, and regulations and I understand that the any permission given by the City for the activities described hereunder shall not be deemed to supersede or demonstrate compliance with any such additional county, state or federal requirements.” The applicant must sign and date below the above-quoted certification. 3. The applicant must certify that he or she has not been convicted of any hunting, trapping, or fishing violation in the State of North Dakota or elsewhere within the last 36 months. If the applicant has been convicted of any hunting, trapping, or fishing violation, he or she must provide information relating to each said conviction/offense. 4. If born after 1961, the applicant must provide his or her hunter safety number on the application or provide a copy of his/her certificate of completion. 5. The applicant must include the following certification, which must be

signed and dated at the conclusion of his or her written application for permission to trap on municipal lands: "I state, under pains and penalties of perjury, that the information contained in my application is true, correct, and complete to the best of my knowledge and belief. If granted, I understand and agree that I must immediately notify the City of any changes to my application/description of the trapping activities described within my application during the course of my trapping activities on the lands described hereunder. If granted, I further understand that the City may withdraw its permission to trap on the lands described hereunder, by providing me with written notice of such withdrawal, which 3 the City shall mail and/or deliver to me at the address I have provided above." 6. On receipt of any application made in connection with this resolution, the City Commission shall review each application at the next convenient commission meeting and shall notify the applicant of the date of the commission meeting at which the application will be considered so that the applicant may appear if he or she so elects. 7. The City Commission have full discretion to grant or deny any applications for permission to trap. The City Commission shall likewise have the authority to limit, modify, condition, or rescope the application to permit certain aspects of the applicant's request, but limit or deny other aspects, which, in the exclusive judgment of the City Commission, best or better serve the interests of the public. 8. Incomplete applications shall be returned to the applicant and will not be heard until all necessary information is supplied to the City in accordance with the provisions set forth above. 9. Applicants should submit their completed application to Tioga City Hall. (also exhibit of application)

Sandberg made a motion to approve the Resolution 2024-06 Trapping in city of Tioga and application, second by Maize. Call: Ayes; Christianson, Sandberg, Maize

Consent Approval:

12. Local Charity Permit Application – Salinas handed exhibit to Commission Board for their review and consideration of a Local Charity Permit Application from 2024 All School Reunion for a raffle.
13. Payroll for March 7, 2024– Salinas handed exhibit to Commission Board for their review and approval of payroll for March 7, 2024.
14. Bills for March 2024 – Salinas handed exhibit to Commission Board for their review and consideration of Bills for March 2024.
15. Financials for February 2024 – Salinas handed exhibit to Commission Board for their review and consideration of Financials for February 2024.

Christianson made a motion to approve the consent agenda that consists of a Local Charity Permit Application from 2024 All School Reunion for a raffle, Payroll for March 7, 2024, Bills for February 2024 and Financials for February 2024, second by Maize. 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 8:20 p.m. call: Ayes; Christianson, Sandberg, Maize, Litten.

The next meeting of the City of Tioga Commission Meeting is scheduled for Monday April 15, 2024, at 7:00 p.m., to be held at the Tioga City Hall.

Kevin Litten, Tioga Commission President

ATTEST:

Abby Salinas, Tioga City Administrator/Auditor