

CITY OF TIOGA
City Commission Meeting Minutes
May 6, 2019

A meeting of the City Commission of the City of Tioga was called to order at 7:00 pm on May 6, 2019, at the Tioga City Hall, by the president of the Tioga City Commission Drake McClelland.

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

ABSENT: Tim Sundhagen

Guest: Jacob Orledge, Raphael Salinas, Rick Farrow, Jessica Ornelas, Jeff Moberg, Shawn Martin, Ryan Mickelsen, Steve Plienis, Dan Larson, Nikki Davidson, Tara Mosley, Shawna Holly, Jeremy Wallin, Tara Wallin, Peggy Anderson, Lindsey Nygaard, Judy Odegaard, Tyler Judkins, Joel Paulsey, Terry Lukan, Jared Attanasio, Miranda Attanasio, Stephanie Nygaard, Corey Murphy, Steve Eberle, Kelli Haider, Dennis Lindahl

Christianson made a motion to approve the minutes of 04-15-2019, second by Bugbee. Roll Call: Ayes; Christianson, Bugbee, Weflen, McClelland

Weflen made a motion to approve the minutes of 04-15-2019 Public Hearing, second by Christianson. Roll Call: Ayes; Christianson, Bugbee, Weflen, McClelland

Commissioners Reports:

Christianson: Gave floor to Jeff Moberg the Water/Sewer Superintendent, Moberg advised the Commission Board that frozen water lines have been fixed but there are 2 sewer failures. Discussions held.

Weflen made a motion to table sewer billings till next Commission Meeting, second by Bugbee. Roll Call: Ayes; Christianson, Bugbee, Weflen, McClelland

Moberg handed exhibit to Commission Board of pictures for their review and advised them that Clarifier 1 at the Waste Water Treatment Plant is 100% broken down. Discussions held, Moberg advised Commission Board that if he is not sure who to contact to fix the issues that the Waste Water Treatment Facility. City Attorney advised Moberg that he needs to contact APEX since they are the Engineer firm consulting with the City on the errors that have been occurring at the Waste Water Treatment Facility.

Bugbee: Advised Commission Board that after doing research and taking into consideration the input at the public hearing there were some changes made to the price sheet. In December the prices and the open times will be reviewed again to make changes if needed. Sundhagen gave his input over phone to McClelland. Discussions held.

Bugbee made a motion to accept Community Center Price list with changes made, second by Christianson. Roll Call: Ayes; Christianson, Bugbee, Weflen, McClelland

Weflen: Advised Commission Board that summer schedule for the landfill is on hold until summer employee is hired to assist. Weflen advised Commission Board that asphalt will need to be purchased.

Weflen made a motion to purchase asphalt up to \$70,000, second by Christianson. Roll Call: Ayes; Christianson, Bugbee, Weflen, McClelland

Weflen also advised Commission Board that FCI contractors for the new Police station and Museum asked if they can use the landfill to store materials that will be needed for construction and she has advised FCI that as long as the City will not be charged that would be ok to use. Weflen stated that Odegaard purchased more material needed to crack seal the cracks in the streets.

McClelland: Handed the floor to Sergeant Nelson. Nelson advised Commission Board that Tioga PD is requesting permission to submit a grant application to the County 1% Board for new lab tops

for Police Officer vehicles (tough books) in the amount of \$30,000. McClelland asked Nelson to give City Auditor a copy of request.

Weflen made a motion to submit application to the County 1% Board for Tough Books in the amount of \$30,000, second by Christianson. Roll Call: Ayes; Christianson, Bugbee, Weflen, McClelland

McClelland handed floor to Chief Corey Murphy. Murphy administers Swear In for new Patrol Officer Eric Romero: In and for the State of North Dakota In the County of Williams I, Eric Romero of Tioga, North Dakota, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of North Dakota, and that I will faithfully discharge the duties of Patrol Officer according to the best of my ability, so help me God (under pains and penalties of perjury).

Murphy also gave update on conex that was ordered, K-9 and is seeking reimbursement for relocation fees for new Patrol Officer in the amount of \$1,533.93.

Weflen made a motion to reimburse Eric Romero for relocation fees in the amount of \$1,533.93, second by Bugbee. Roll Call: Ayes; Christianson, Bugbee, Weflen, McClelland

McClelland advised Commission Board that there is a temporary fix to put around hockey rink and South side of Community Center until City can afford to pave. Larson states that lowest estimate for 250 tons of crushed rock is \$6,250.

Christianson made a motion to purchase up to 250 tons of crushed rock in the amount of \$6,250 from Capital Ready Mix, second by Bugbee. Roll Call: Ayes; Christianson, Bugbee, Weflen, McClelland

Modifications/Approval of Agenda:

Weflen made a motion to approve agenda as written, second by Christianson. Call: Ayes; Christianson, Bugbee, Weflen, McClelland

Old Business:

1. Legal – Elizabeth Pendlay – Executive Session

Bugbee made a motion have a break in Commission Meeting, second by Weflen. Roll Call: Ayes; Christianson, Bugbee, Weflen, McClelland

Weflen made a motion to go into Executive Session at 8:17 to consult with Attorney on procedural and legal matters pertaining to Tioga Security Policies and procedures NDCC 44-04-24, second by Bugbee. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland

Weflen made a motion to move out of Executive Session at 8:40pm, second by Christianson. Call: Ayes; Christianson, Bugbee, Weflen, McClelland

8:41 pm reopened General Commission Meeting

Bugbee made a motion to prepare policy and procedures consistent with discussions held in the executive session, second by Weflen. Call: Ayes; Christianson, Bugbee, Weflen, McClelland

2. Ackerman-Estvold: Steve Eberle – Updates given to Commission Board on Annabelle warranty work, TAP 2018, TAP 2019. Eberle stated bids came in for Simons Addition and is seeking approval for project awarded to CC Steele

Weflen made a motion to award CC Steele project for Simons Addition phase 2, second by Bugbee. Call: Ayes; Christianson, Bugbee, Weflen, McClelland

Eberle stated that a preconstruction meeting will take place on May 6, 2019 at 1pm at City Hall. Other projects Ackerman is currently working on for the City are Badlands, Welo Warranty, KLM, First Baptist Church, and gave update on Williams County Construction on 105th. Eberly is seeking approval for City portion of construction in the amount of \$1,066,276.25 to relay message to Williams County to start the process of construction on 105th from Highway 2 to Signal Road.

Bugbee made a motion to approve City's portion of construction for 105th in the amount of \$1,066,276.25, second by Weflen. Call: Ayes; Christianson, Bugbee, Weflen, McClelland

3. Graham Construction- Salinas handed exhibit of e-mail from Hight Construction stating that they have spoken with Graham and have come to an understanding regarding their intentions to place a lien against the Community Center if Graham does not pay them, and stated they will no longer pursue a judgement. Salinas handed exhibit to Commission Board of pay application 12 for work completed in February 2019 in the amount of \$66,906.81 for their review and consideration and advised Commission Board that EAPC and EDC have both reviewed and recommend payment.
Christianson made a motion to approve request for payment of Pay application 12 in the amount of \$66,906.81 from Graham, second by Bugbee. Call: Ayes; Christianson, Bugbee, Weflen, McClelland. Salinas handed exhibit to Commission Board of pay application 13 for work completed in March 2019 in the amount of \$47,924.55 for their review and consideration and advised Commission Board that EAPC and EDC have both reviewed and recommend payment
Bugbee made a motion to approve request for payment of Pay application 13 in the amount of \$47,924.55 from Graham, second by Christianson. Call: Ayes; Christianson, Bugbee, Weflen, McClelland.
Steve Kliner asked Commission Board to consider paying pay application #14 he just received request through email in the amount of \$98,833.72. Salinas advised Commission Board that pay application 14 has not yet been received at City Hall and reviewed by appropriate staff.
Bugbee made a motion to table request for payment of Pay application 14 in the amount of \$98,833.72 from Graham until appropriate paperwork has been received and approved, second by Weflen. Call: Ayes; Christianson, Bugbee, Weflen, McClelland
4. FCI – Construction not yet started.

New Business

5. Park Board – Park Board President Nikki Davidson handed Commissioners a letter from the Park Board stating Dear Commission Members, We would like to inform you of our decision to cease care and upkeep of the Tioga Dam area. At one point in time, it was agreed upon, verbally, that the Park Board would take care of the area around the dam and in return it would receive payments submitted for camping. There has been no camping, for quite some time, in this area which means no income to the park and higher cost of maintenance and wages for taking care of this area. With many other places to maintain, the park Board has made a decision to halt care of the Tioga Dam area as well as the area north of 5th street, known as the lawn mower racing track. Weflen asked if the Park Board would consider continuing the mowing of the dam until City hires employee to assist during summer. Discussions held. Park Board member Shawn Martin stated that Commission Board had insulted a Park Board employee (not present) during a meeting on 04-01-19, City Commissioners were not aware of that taking place. Discussion held. Other issues that Park Board members presented to the Commission Board were communication issues, water bills, and City truck. Park Board members ask that from now on all agreements be done in writing to avoid miscommunication.
6. Pine Ridge – Salinas handed exhibit of Pine Ridge Plat and engineer cost estimates for Commission Board to review and consider in making a decision on accepting privately owned subdivision streets as City owned property in order to Special assess them to get the subdivision streets curbs and gutters fixed to City Standards. Salinas explained that if City takes ownership and responsibility of those streets in order to consider doing a special assessment for the street curbs and gutters the City would have to do one of two things 1. Take a bonded loan out and/or 2. Have the money upfront for the cost of construction. Discussions held, City of Tioga Community Service Director Larson states the property is currently not up to City specs in order to make a correct decision.
Bugbee made a motion to table decision of accepting privately owned streets from Pine Ridge until property meets City specs in order to make a correct determination, second by Weflen. Call: Ayes; Christianson, Bugbee, Weflen, McClelland

7. Emprise Group – Salinas handed exhibit of title correction for Emprise Group on land that was sold in 2011 from Vogel Law Firm for their review and consideration. City Attorney Pendlay states that she reviewed all paper work and all of it seems to be in order.
Bugbee made a motion to approve the signing of the title correction from Emprise Group, second by Weflen. Call: Ayes; Christianson, Bugbee, Weflen, McClelland
8. Special Liquor License – Salinas handed exhibit to the Commission board of a special liquor license from Model Tavern for an upcoming 4th of July event for their review and consideration.
Weflen made a motion to approve the Special Liquor License from Model Tavern for the 4th of July event, second by Bugbee. Call: Ayes; Christianson, Bugbee, Weflen, McClelland
9. Tioga County Club –Salinas handed exhibit to Commission Board of request for donation letter from Tioga County Club for their review and consideration.
Weflen made a motion to approve a platinum donation in the amount of \$500 to the Tioga Country Club to assist in projects that will improve the Golf Course, second by Bugbee. Call: Ayes; Christianson, Bugbee, Weflen, McClelland
10. North Dakota Department of Transportation Pavement Markings – Salinas handed exhibit to Commission Board of letter from NDDOT regarding pavement markings for their review. NDDOT would like to lower the amount of fatalities by ensuring visibility of pavement lines. The plan is called Vision Zero. Letter is just for information.
11. Payroll - Salinas handed exhibit to Commission Board of payroll of 04-22-2019 for review and consideration.
Christianson made a motion to approve payroll for 04-22-2019, second by Bugbee. Call: Ayes; Christianson, Bugbee, Weflen, McClelland
Salinas handed exhibit to Commission Board of payroll of 05-07-2019 for review and consideration.
Bugbee made a motion to approve payroll for 05-07-2019, second by Christianson. Call: Ayes; Christianson, Bugbee, Weflen, McClelland
12. City Bills for April 2019 – Salinas handed exhibit to Commission Board of City Bills for April 2019 for their review and consideration.
Bugbee made a motion to approve City Bills for April 2019, second by Weflen. Call: Ayes; Christianson, Bugbee, Weflen, McClelland

With no further business, the meeting of the Tioga City Commission was adjourned by unanimous vote moved by Bugbee, second by Christianson at 10:30 p.m. call: Ayes; Christianson, Bugbee, Weflen, McClelland

The next meeting of the City of Tioga Commission Meeting is scheduled for Monday May 20, 2019 at 7:00 p.m., to be held at the Tioga City Hall.

Drake McClelland, City Commission President

ATTEST:

Abby Salinas, City Auditor