

CITY OF TIOGA
City Commission Meeting Minutes
October 1, 2018

A meeting of the City Commission of the City of Tioga was called to order at 7:00 pm on October 1, 2018, at the Tioga City Hall, by President of the City Commission Drake McClelland.

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

ABSENT: None

GUEST: Dan Larson, Traci Papineau, Austin Alexander, Stephanie Nygaard, Jeff Moberg, Monique Lopez, Kelli Heider, Monica Sundhagen, Steve Eberle, Ronica Pederson, Josh Nelson, Larry Maize, Desiree Hanson, Judy Odegaard, Claudia Tande, Aaron Hooper, Sam Pesik, Corey Murphy, Jacob Orledge

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

Weflen made a motion to approve the minutes for Public Hearing on September 17, 2018, second by Bugbee. Roll Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen Abstained; McClelland

Sundhagen made a motion to approve the minutes of September 17, 2018, second by Christianson. Roll Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen Abstained; McClelland

Commissioners Reports:

Christianson: Advised Commission Board that Moberg is still waiting on work to start at lift station to add lights that were previously approved. Christianson also advised that Moberg is still waiting on call from KLM to schedule a time to fix the water tower.

Bugbee: Advised Commission Board that Salinas has received a quote from NCC for security cameras to be placed at City hall.

Bugbee made a motion to accept quote from NCC in the amount not to exceed \$3,000 for the security camera system, second by Sundhagen. Roll Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Sundhagen: Advised Commission Board that he attended the County 1% Meeting and gave update. Sundhagen also states that the new Police vehicle is in Williston waiting for some installations but it will be delivered by Friday. Sundhagen states that after discussions with legal counsel in regards to Murphy's salary the best solution that will not have a huge impact is to raise his salary base \$1,500 a month while Police Department is short staffed and when the position is filled his salary will return to normal. City Attorney Pendlay states that there would be a contract drawn to state what the expectations are, how much it would be and when it would end.

Sundhagen made a motion to pay Murphy \$1,500 a month more in salary back dating it to 09-15-2018, second by Christianson. Roll Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Sundhagen advised the Commission Board that yearly evaluations have been completed and he will be turning them all in with recommendations for raises. Sundhagen also advised that records were pulled from the MAXXES card reader system for City Hall in regards to the break-in and nothing seems out of the ordinary. Sundhagen gave update on the contract for the new Police Station and states that he would like to split the scopes and possibly do a dual GMP in order to get the best possible pricing. City Attorney Pendlay states the City will first need a contract.

Sundhagen made a motion to amend prior motion of signing the contract for the new Police Station that with legal confirmation and with the inclusion to add dual GMPs authorization for subsequent signature can be completed, second by Weflen. Roll Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Weflen: Advised Commission Board that Odegaard has only received 1 bid for a new grader for the Street Department. McClelland states he would like to have Odegaard get a few more bids and present them all together to the Commission Board.

McClelland: Advised Commission Board and constituents that it's that time of year to remind all the Citizens of Tioga that boats, trailers and broken vehicles need to be moved before the snow falls. Weflen asked if the Police department can start to give 48-hour warnings in the next few weeks. Chief Murphy stated that the Police Department now has stickers to place on vehicles and doorhangers to place on doors.

Modifications/Approval of Agenda:

Sundhagen made a motion to add Joel Moberg to New Business #4 and Kyle Ralson Life Lock #5 and approve the agenda with those changes made for 10-01-2018, second by Weflen. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Old Business:

1. Legal – Elizabeth Pendlay – Advised Commission Board of statute 40-38 North Dakota Century Code which states all library funds must be kept separate from other funds.

Weflen made a motion in accordance to NDCC 40-38 to activate the Library account and move all funds appropriated to the Library to that fund, second by Christianson. Roll Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Pendlay advised that a check should be done on funds to make sure nothing has been co-mingled. Pendlay reviewed rental agreement with Graham for the use of the industrial floor cleaner and is seeking approval to sign contract after she has completed and any changes are made.

Christianson made a motion to authorize subsequent signature after review and corrections are made of the agreement with Graham for the floor cleaner at the Community Center, second by Sundhagen. Roll Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Pendlay advised Commission Board that she is waiting on the original contract for EAPC to review their amendments and recommend approval.

Pendlay has the TAP contract and is seeking approval to sign contract after she has reviewed and completed any changes that need to be made.

Weflen made a motion to authorize subsequent signature after review and corrections are made of the TAP contract with Ackerman-Estvold, second by Sundhagen. Roll Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Pendlay advised Commission Board that while in the process of reviewing Murphy's exempt or non-exempt status it was brought to her attention that Larson may have been placed in an exempt status incorrectly. Unless Larson meets the executive pay, which is over \$100,000 then a test has to be given to determine if he fits the exempt or non-exempt criteria. Larson does not meet the requirements. Discussions held.

Bugbee made a motion to change Larson's status to non-exempt, second by Christianson. Roll Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Pendlay advised Commission Board that Chief Murphy has developed some guidelines for Police Officers to have, she handed exhibit of potential guidelines to Commission Board for review. Pendlay is asking the Commission Board for permission to draft a policy using the guidelines and the NDCC.

Sundhagen made a motion to have City Attorney Pendlay draft a policy using guidelines and NDCC, second by Bugbee. Roll Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Pendlay advised Commission Board that she is seeking approval to request the court transcripts from the Lopez trial with an estimated cost of \$4,500, discussions held.

Christianson made a motion to approve City Attorney Pendlay requesting the transcripts for Lopez's trial from Williams County not to exceed \$4,500, second by Weflen. Roll Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Pendlay also advised Commission Board that Deputy Auditor Ronica Pederson contacted her office in regard to delinquent bills. Discussions held. Pendlay is seeking a motion to allow her to draft an ordinance that will help the City recover payment of delinquent bills.

Christianson made a motion to have City Attorney Pendlay draft an ordinance that will allow the City to recover payment on delinquent bills, second by Bugbee. Roll Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

2. Ackerman-Estvold: Austin Alexander – Informed Commission Board of the status for Simons Addition, and Annabelle. Alexander advised the Commission Board that due to the early snowy weather they felt it would be better to start the 2018 TAP project in early spring with the 2019 TAP project and join the 2. Alexander states that he would have to call ND DOT to ask if this is possible. McClelland said that if it is needed he would call a special to give permission to postpone the project depending on what ND DOT states. Alexander also advised Commission Board that he is seeking permission to start the 2019 TAP process.

Sundhagen made a motion to have Ackerman-Estvold start the 2019 TAP process, second by Weflen. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Alexander also gave updates on Planning and Zoning.

3. Graham Construction- Austin Rollag – Advised Commission Board of the construction updates and progress for the Community Center. Also advised Commission Board that completion date is December 18, 2018 and the schedule is on time. Discussions held.

New Business:

4. Joel Moberg – Advised Commission Board that he has made a complaint to the Police Department and to the City Attorney in regards to the Community Development Director Dan Larson. Moberg states that Larson went to his home, pounded on his door and threatened to give him a citation. Moberg states that Larson should be fired. Discussion held. Moberg Left the building, City Attorney Pendlay advised that no decision or further discussion should be held until Moberg submits a letter of complaint in writing for review.

Sundhagen made a motion to table until Moberg submits a letter of complaint in writing for review and discussion, second by Bugbee. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

5. Kyle Ralston (Life Lock) – Advised Commission Board there are different plans in Life Lock and not one is the amount of \$109, he also states that he feels each person should be able to pick their own plan and that no one has advised him on how to purchase the plan or how to submit for reimbursement. Ralston also feels that the City is not doing enough. City Attorney Pendlay states that the City has done all they can to assist and that the internet always has different purchasing options depending on the website you go into, but currently the City has approved for a reimbursement of up to \$109 with the submission of a receipt. Discussions held.

Sundhagen made a motion to table until 10-15-2018 so that Commission Board can review Life Lock options and discuss at next meeting, second by Christianson. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Salinas will draft a letter to send to previous and current employees regarding what was currently approved for Life Lock and how to submit for reimbursement.

6. Payroll 09-20-2018 – Salinas handed exhibit to Commission Board of payroll for 09-20-2018 for their review and approval.

Weflen made a motion to approve payroll for 09-20-2018, second by Sundhagen. 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 Sundhagen, second by Weflen at 10:18 p.m. call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

The next meeting of the City of Tioga Commission Meeting is scheduled for Monday October 15, 2018 at 7:00 p.m., to be held at the Tioga City Hall.

Drake McClelland, President of the City Commission

ATTEST:

Abby Salinas, City Auditor