

## CITY OF TIOGA

City Commission Meeting Minutes

October 16, 2023

<https://youtu.be/bmRJTFpqtPg>

A meeting of the City Commission of the City of Tioga was called to order at 7:00 pm on October 16, 2023, at the Tioga City Hall, by the City Commission President Kevin Litten.

PRESENT: Kevin Litten, Tim Christianson, Larry Maize, Jessica Sandberg, Elizabeth Pendlay, Abby Salinas  
ABSENT: Shawn Travis  
GUEST: Judy Odegaard, Josh Reiner, Joel Shaffett, Dan Larson, Fran Stewart, Chuck Stewart, Nathan Zochert, Heath Pendlay, Norma Brilz, Melissa Faris, Laura Jean Rosencrans, Bob Anderson, Haley Felber, Sandy Clark

**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.

**Maize made a motion to approve the Commission Minutes of October 2, 2023, second by Sandberg. Roll Call: Ayes; Christianson, Sandberg, Maize**

### **Commissioners Reports:**

Christianson: None  
Travis: Absent  
Sandberg: None  
Maize: None  
Litten: None

### **Modifications/Approval of Agenda:**

**Christianson made a motion to Add #13 Resolution 2023-17 Assignment of Paying Agent and Bond Registrar under new business then approve the agenda with 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 and some of it is on the agenda for updates.
2. Moore Engineering: Reiner – Advised Commission Board of meeting with Teraflex for South Main Street Project. Handed Commission Board an exhibit for their review and consideration of a quote from CC Steele for televising sanitary sewer lines on South Main in the amount of \$8,926.25. **Christianson made a motion to approve quote from CC Steele to televise the sanitary sewer in the amount of \$8,926.25, second by Maize. Call: Ayes; Christianson, Sandberg, Maize**  
Advised Commission Board of status update for Northeast Reconstruction Project Phase 2, handed exhibit for their review and consideration of Pay Application #9 from Strata in the amount of \$768,386.22 Reiner states that liquidated damages need to be decided by the board to present to strata.  
**Christianson made a motion to table Pay Application #9 from Strata in the amount of \$768,386.22 until next Commission meeting so that numbers can be reviewed for liquidated damages, second by Maize. Call: Ayes; Christianson, Sandberg, Maize**  
Reiner gave update on Tioga Dam emergency action plan, Tioga Dam Recreational Trail and 3<sup>rd</sup> Street NW & N Hanson Street Reconstruction. Handed exhibit to Commission Board for their review and

consideration of Change order #2 from Crow River in the amount of \$13,825 for additional sidewalks and time extension.

**Christianson made a motion to approve Change order #2 from Crow River in the amount of \$13,825 for additional sidewalks and time extension, second by Maize. Call: Ayes; Christianson, Sandberg, Maize**

Handed exhibit to Commission Board for their review and consideration of Pay Application #3 from Crow River construction for work done to date in the amount of \$302,250.69.

**Sandberg made a motion to approve Pay Application #3 from Crow River construction for work done to date in the amount of \$302,250.69, second by Maize. Call: Ayes; Christianson, Sandberg, Maize**

Reiner gave update of projects for KSI, Tioga Soccer Field, City Scada System and handed exhibit to Commission Board for their review and consideration of application questionnaire for the CWSRF.

**Maize made a motion to approve the application for the CWSRF, second by Sandberg. Call: Ayes; Christianson, Sandberg, Maize**

Reiner also updated Commission Board on the 2024 projects and what are considered of high importance and handed exhibit to Commission Board for their review and consideration of Task order #6 from Moore Engineering for the relocation of the Baseball field with scope of work.

**Sandberg made a motion to approve Task order #6 from Moore Engineering for the relocation of the Baseball field with scope of work, second by Maize. Call: Ayes; Christianson, Sandberg, Maize**

3. Community Center Update – Haley Felber – Advised Commission board on status of Community Center Committee meetings, Sandy Clark gave update of the usage of the Tioga Community Library. Felber advised the Commission Board that due to time constraints and the purpose of this Committee, she is asking the Commission Board to consider removal of Robert Harms from the Community Center Committee. Discussions held.

**Sandberg made a motion to remove Robert Harms from Community Center Committee, second by Maize. Call: Ayes; Sandberg, Maize Nays; Christianson**

**Sandberg made a motion that if you miss 3 meetings you will no longer be part of the Community Center Committee with the exception of the Finance Commissioner, Community Center Director and the Library Director, second by Christianson. Call: Ayes; Christianson, Sandberg, Maize**

**Christianson made a motion to have Deputy Auditor Ronica Pederson sit in as a proxy for the Finance Commissioner when he is not able, second by Maize. Call: Ayes; Christianson, Maize Abstained; Sandberg**

**Sandberg made a motion to move the quorum of the Community Center Committee to 1 above half the size of the Committee, second by Maize. Call: Ayes; Christianson, Sandberg, Maize**

4. Possible Water Contamination Boil Order – Salinas handed exhibits to Commission Board for their review and consideration of State Health Department results from the water samples that were taken 2 different days due to Strata construction leaving a lever open which might have caused a possible contamination. Both results came in satisfactory, which means that the water is safe for usage and consumption.

**Sandberg made a motion to remove the precautionary Boil Order that was put in place on October 12, 2023, and send out an official letter to all affected residents and businesses, second by Maize. Call: Ayes; Christianson, Sandberg, Maize**

#### **New Business:**

5. Ordinance 2023-05 Change in Emergency Route 1<sup>st</sup> Reading – Salinas handed exhibit to Commission Board for their review and consideration of Ordinance 2023-05 Change in Emergency Route AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 8 (“TRAFFIC”), OF THE CITY OF TIOGA ORDINANCES; AN ORDINANCE GOVERNING EMERGENCY SNOW ROUTES BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TIOGA, NORTH DAKOTA, AS FOLLOWS: CHAPTER EIGHT TRAFFIC ARTICLE 4 – Snow Emergency Routes 8.0401 Snow Emergency Routes of the following streets in the City of Tioga are declared snow emergency routes as follows: Snow emergency routes are those streets normally traversing the entire City or a major part of the City and are essential to the rapid movement

of emergency vehicles and normally carry the heaviest traffic volumes. The following streets or portions of streets in the City are hereby designated as snow emergency routes: Please see Exhibit Map found as an attachment to this chapter. The Board of City Commissioners by resolution may designate and amend streets or portions of streets which shall constitute snow emergency routes within the City. Snow emergency defined: When winter weather conditions exist that make it necessary for motorized vehicle travel to be expedited such that parking on snow emergency routes be prohibited for snow plowing and/or hauling, when an emergency condition exists. **Whenever the Tioga Chief of Police, Superintendent of Public Works or the City Street Commissioner** determines that three inches or more of snow, sleet, or freezing rain has accumulated on the designated snow emergency routes, a snow emergency may be declared. Notification of the snow emergency shall be made through public service announcement (either local media, Facebook or other means) will be issued stating that snow route plowing will begin, a parking prohibition on said routes shall become necessary.

**Sandberg made a motion to approve the 1<sup>st</sup> Reading of Ordinance 2023-05 Change in Emergency Route, second by Christianson. Call: Ayes; Christianson, Sandberg, Maize**

6. New Job Descriptions for K-9 Handler and Detective – Salinas handed exhibits to Commission Board for their review and consideration of new job descriptions for K-9 Handler and Detective and stated that Tioga Police Chief Nelson created the job descriptions for the new positions that have been created within the Police Department. City Attorney Pendlay stated that she reviewed the new job descriptions and recommends approval.

**Maize made a motion to approve the new job descriptions for K-9 Handler and Detective, second by Sandberg. Call: Ayes; Christianson, Sandberg, Maize**

7. Quote for a Fishing and Kayak Dock – Salinas handed exhibit to Commission Board for their review and consideration of a quote from ABC Docks for a new fishing and kayak dock in the amount of \$44,469.40.

**Christianson made a motion to approve a quote from ABC Docks for a new fishing and kayak dock in the amount of \$44,469.40, second by Maize. Calls: Ayes; Christianson, Sandberg, Maize**

8. Quote for New Snow Blower – Salinas handed exhibit to Commission Board for their review and consideration of a quote from Bobcat for a new snow blower in the amount of \$5,575 with the trade in of the old snowblower that is needing \$4,000 in repair work.

**Maize made a motion to approve a quote from Bobcat for a new snow blower in the amount of \$5,575 with the trade in of the old snowblower that is needing \$4,000 in repair work, second by Sandberg. Calls: Ayes; Christianson, Sandberg, Maize**

9. Quote for New Culverts, Delivery and Dirt Work – Salinas handed exhibit to Commission Board for their review and consideration of a quote from Rinker for 2 new culverts in the amount of \$27,799.68, delivery fees of up to \$3,000 and cost of dirt work from Esterholm construction in the amount of \$24,000. This will help the water issues that happen next to the Oil Capitol Laundry Mat and work can be completed within the next month. Discussion held.

**Christianson made a motion to approve the estimate for the new culverts, from Rinker in the amount of \$27,799.68, delivery fees for \$3,000 and dirt work estimate from Esterholm in the amount of \$24,000, second by Maize. Call: Ayes; Christianson, Sandberg, Maize**

10. Quote from Custom Sheds – Salinas handed exhibit to Commission board for their review and consideration from Custom Sheds in the amount of \$23,573 for a shed to be used to house the Tioga Community Center Tool Kat while the expansion of the Community Center is being built. Discussions held.

**Christianson motioned to approve the quote from Custom Sheds in the amount of \$23,573, second by Maize. Call: Ayes; Christianson, Sandberg, Maize**

11. Tioga Fund Application – Salinas handed exhibit to Commission Board for their review and consideration of a Tioga Fund application from the Tioga Parks in the amount of \$31,100 for permanent lighting for park structures. Tioga Fund Advisory Board has reviewed the application and recommends approval of \$8,000. **Sandberg made a motion to approve the Tioga Fund Application**

**from Tioga Parks in the amount of \$8,000, second by Maize. Call: Ayes; Christianson, Sandberg, Maize**

12. Visitor Promotion Application - Salinas handed exhibit to Commission Board for their review and consideration of a Visitor Promotion application from the Tioga Parks in the amount of \$5,000 for permanent lighting for park structures. The Visitor Promotion Board has reviewed the application and recommends approval of \$5,000.

**Sandberg made a motion to approve the Visitor Promotion Application from Tioga Parks in the amount of \$5,000, second by Christianson. Call: Ayes; Christianson, Sandberg, Maize**

13. Resolution 2023-17 Assignment of Paying Agent and Bond Registrar – Salinas handed exhibit to Commission Board for their review and consideration of Resolution 2023-17 Assignment of Paying Agent and Bond Registrar. The following resolution is introduced and moved for its adoption:  
RESOLUTION AUTHORIZING THE ASSIGNMENT OF PAYING AGENT AND BOND REGISTRAR DESIGNATION TO AMKO BOND SERVICES, LLC, AND AUTHORIZING THE EXECUTION OF THE PAYING AGENT/REGISTRAR AGREEMENT WITH AMKO BOND SERVICES, LLC WHEREAS, the City of Tioga, North Dakota (the "City") has previously issued Bonds, as defined herein, to finance the construction of various improvements within the City; and WHEREAS, the City designated U.S. Bank National Association as the paying agent and bond registrar for each series of Bonds for the City; and WHEREAS, the City desires to transfer the responsibility and designation of serving as paying agent and bond registrar to AMKO Bond Services, LLC, through the execution of the Paying Agent/Registrar Agreement. NOW, THEREFORE, BE IT RESOLVED by the governing body of the City as follows: Section 1. Bond Issue. The City previously issued the following bond issue: a. Sales Tax Revenue and Appropriations Bonds, Series 2018A Section 2. Paying Agent and Bond Registrar. In each resolution authorizing the issuance of a series of Bonds, U.S. Bank National Association was designated as the paying agent and bond registrar of the Bonds. Section 3. Assignment and Authorization to execute Paying Agent/Registrar Agreement. The City authorizes the assignment of the paying agent and bond registrar responsibility and designation to AMKO Bond Services, LLC, under the terms and conditions of the Paying Agent/Registrar Agreement. The City additionally authorizes the Commission President and City Auditor to execute the Paying Agent Agreement/Registrar.

**Sandberg made a motion to approve Resolution 2023-17 Assignment of Paying Agent and Bond Registrar, second by Maize. Call: Ayes; Christianson, Sandberg, Maize**

**Consent Approval:**

14. Local Charity Permit Applications – Salinas handed exhibits to Commission Board for their review and consideration of Local Charity Permit Applications from the White Earth Saddle Club on 11-17-2023 for Turkey Bingo, Tioga High School Close-Up on 12-01-2023 through 02-13-2024 for 50/50 Raffles and Tioga High School Close-Up on 11-01-2023 through 11-30-2023 for Calander Draw.
15. Special Liquor License Application – Salinas handed exhibit to Commission Board for their review and consideration of a Special Liquor License application from Model Tavern/Gloria Iwen on 11-11-2023 for the Fireman’s Carnival.
16. Payroll for October 6, 2023 – Salinas handed exhibit to Commission Board for their review and approval of Payroll for 10-06-2023.
17. Bills for September 2023 – Salinas handed exhibit to Commission Board for their review and consideration of bills for September 2023.
18. Financials for September 2023- Salinas handed exhibits to Commission Board for their review and consideration of financials for September 2023 of Fund Summary and Balance Sheet.

**Maize made a motion to approve the consent agenda that consists of Local Charity Permit Applications from the White Earth Saddle Club on 11-17-2023 for Turkey Bingo, Tioga High School Close-Up on 12-01-2023 through 02-13-2024 for 50/50 Raffles and Tioga High School Close-Up on 11-01-2023 through 11-30-2023 for Calander Draw, a Special Liquor License application from Model Tavern/Gloria Iwen on 11-11-2023 for the Fireman’s Carnival, Payroll for 10-06-2023, Bills for**

**September 2023, and City Financials for September 2023, 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 8:30 p.m. call: Ayes; Christianson, Sandberg, Maize**

The next meeting of the City of Tioga Commission Meeting is scheduled for Monday November 6, 2023, 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