

**CITY OF TIOGA**  
City Commission Meeting Minutes  
October 19, 2020

A meeting of the City Commission of the City of Tioga was called to order at 7:00 pm on October 19, 2020, at the Tioga City Hall, by the City Commissioner Tim Sundhagen.

PRESENT: Tim Sundhagen, Tim Christianson, Natalie Bugbee, Larry Maize, Elizabeth Pendlay and Abby Salinas  
ABSENT: Drake McClelland  
GUEST: Jacob Orledge, Tom Staal, Rob Bryant, Shawna Nelson, Michael Nobles, Kent Ritterman, Daryn Pederson

**Bugbee made a motion to approve the Commission Minutes of September 21, 2020 Regular Meeting, second by Maize. Roll Call: Ayes; Christianson, Bugbee, Maize**

**Bugbee made a motion to approve the Commission Minutes of September 21, 2020 Public Hearing for City Budget and Levys, second by Maize. Roll Call: Ayes; Christianson, Bugbee, Maize**

**Bugbee made a motion to approve the Commission Minutes of October 5, 2020 Regular Meeting, second by Maize. Roll Call: Ayes; Christianson, Bugbee, Maize**

**Commissioners Reports:**

Christianson: Advised Commission Board that the generators that the City purchased were all placed and are ready for this coming winter.  
Bugbee: Advised Commission Board that we have 2 vacancies at the Community Center and they are working on getting it filled.  
Maize: None  
Sundhagen: Advised Commission Board that he would like to add to agenda discussions regarding 67<sup>th</sup> Street.  
McClelland: Absent

**Modifications/Approval of Agenda:**

**Bugbee made a motion to add agenda item #3 67th Street under old business for discussion and approve agenda with changes made, Second by Maize. Call: Ayes; Christianson, Bugbee, Maize**

**Old Business:**

1. Legal – Elizabeth Pendlay – Advised the Commission Board and constituents regarding the transaction process for a new President of the Commission. Drake McClelland’s last day is November 1, 2020, per North Dakota Century Code 40.08-08 and 40.08-10 there is a 15-day window to allow public to call for a special election if not an appointment can be made by Commission on November 16, 2020. Whom ever the Commission appoints will have to resign their Commission seat and the Commission will allow another 15 day in order to appoint someone to that vacant seat.
2. Moore Engineering: Kent Ritterman – Advised Commission Board of updates on the NE Reconstruction. Ritterman handed exhibit to Commission board of change order #6 in the amount of \$3,158 for exploratory excavation which Commission asked to be done in order to correct an issue.  
**Bugbee made a motion to approve change order #6 in the amount of \$3,158 for excavation that was completed, second by Christianson. Call: Ayes; Christianson, Bugbee, Maize**  
Reiner also advised Commission Board of Simons Addition and stated that retainage was lowered from 10% to 5% in July but would like to discuss punch list items before completion. Pendlay stated that she will call CC Steele and discuss the completion of project if they can come to an agreement on punch list items. Salinas advised Commission Board that there are 2 items that have not been paid by CC Steele and is seeking permission to pay them and just lower the amount in the final payment to CC Steele,

because they are local and one of the vendors has been waiting for payment since last year. Sundhagen stated since its already to late to seed the 3 areas of concern would CC Steele be willing to lower the amount of final payment so that the City can pay a contractor that is here doing seeding for a different construction project. Pendlay stated she will ask CC Steele and ensure Reiner is included in that conversation.

**Christianson made a motion to have the City pay for R&R Tree Service, the sprinkler system and seeding work that was done on the Simons Project and have that amount be lowered from CC Steele final pay application, second by Bugbee. Call: Ayes; Christianson, Bugbee, Maize**

3. 67<sup>th</sup> Street paving – Sundhagen advised Commission Board that it's time to pave 67<sup>th</sup> Street the conditions of the road are bad. Rob Bryant of Continental advised Commission Board that he is expecting an increase in traffic from workers on 67<sup>th</sup>, and Continental has a genuine interest in having that road paved even if it means an increase in property taxes. Discussions held. Sundhagen suggested that since a portion of the road is owned by the township the City needs to start conversations with them. Sundhagen also suggests having only one Commissioner (Larry Maize) and the City Auditor (Abby Salinas) to initiate contact and conversation in order for that not to become a quorum until one is needed.

New Business:

4. NDDOH Invitation for COVID- 19 Sampling – Salinas handed exhibit to Commission Board of memo that was posted on Tioga City Facebook. Michael Nobles addressed Commission Board and stated that he is opposed to the testing, he stated that we need to separate our City from the rest of the chaos (circus). Nobles feels that if the City allows the testing to be performed that the results can later be used as leverage against the City. Tom Staal addressed Commission Board and stated that he is opposed to the testing because the results might be used down the line to limit more of our liberties. City Attorney Pendlay advised Commission Board and Constituents that NDDOH stated that they know COVID-19 is here but that the sampling would give them better numbers instead of more predictive value because if a person is infected with COVID-19 but does not feel ill they would not go get tested so the numbers reported to the Health department are not accurate. Christianson asked what would be the benefits of the testing. Sundhagen stated that NDDOH stated that the COVID-19 counts would be more accurate with the sampling but they would not be because the City of Tioga has a very transit population and he feels that testing might be better utilized where the population is more stable. Bugbee advised the Commissioners and constituents that she had shared the Facebook post and asked that if anyone has comments or concerns she would be willing to voice them. Bugbee stated that from all the comments and shares no one was in favor of the testing. Sundhagen stated that he does not want to tell the Citizens of Tioga that their business or job is not essential because to them it is. Instead he feels that everyone should use common sense and use preventative measures if needed and/or have underlying conditions. Sundhagen also states that the City should not be scaring children with COVID-19 instead we should be educating them regarding COVID-19, there is so much worse stuff out in this world that the children will have to face. Discussions held.

**Bugbee made a motion to decline the sewer sampling from NDDOH, second by Christianson. Call: Ayes; Christianson, Bugbee, Maize**

Consent Approval:

5. Planning and Zoning Applications from First Western Bank and Trust for a re-platting application to fix lots.
6. Special Liquor License Application from Shawn Travis/DJ's Lounge for October 23, 2020 for a retirement party at Neset Consulting.
7. Pledge Holdings as of 09-16-2020.
8. Payroll for 10-07-2020
9. Financials for September 2020

Salinas handed exhibits to Commission Board of Planning and Zoning Applications from First Western Bank and Trust for a re-platting application to fix lots, Special Liquor License Application from Shawn Travis/DJ's Lounge for October 23, 2020 for a retiring party at Neset Consulting, Pledge Holdings as of 09-16-2020, Payroll for 10-07-2020, and Financials of Fund Summary and Balance Sheet for September 2020 for their review and approval.

**Bugbee made a motion to approve Planning and Zoning Applications from First Western Bank and Trust for a re-platting application to fix lots, Special Liquor License Application from Shawn Travis/DJ's Lounge for October 23, 2020 for a retirement party at Neset Consulting, Pledge Holdings as of 09-16-2020, Payroll for 10-07-2020, and Financials of Fund Summary and Balance Sheet for September 2020, second by Maize. Call: Ayes; Christianson, Bugbee, Maize**

**With no further business, the meeting of the Tioga City Commission was adjourned by unanimous vote moved by Bugbee, second by Maize at 8:19p.m. call: Ayes; Christianson, Bugbee, Sundhagen, Maize**

The next meeting of the City of Tioga Commission Meeting is scheduled for Monday November 2, 2020 at 7:00 p.m., to be held at the Tioga City Hall.

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Tim Sundhagen, Vice President Commissioner

ATTEST:

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Abby Salinas, City Auditor