

CITY OF TIOGA
City Commission Meeting Minutes
November 16, 2020

A meeting of the City Commission of the City of Tioga was called to order at 7:00pm on November 16, 2020, at the Tioga City Hall, by the City Commissioner Tim Sundhagen.

PRESENT: Tim Sundhagen, Tim Christianson (on phone), Natalie Bugbee, Elizabeth Pendlay (on phone, late) and Abby Salinas

ABSENT: Larry Maize

GUEST: Brad Nygaard, Dan Larson, Shan Duhe, Adam Duhe, Josh Reiner

Bugbee made a motion to approve the Commission Minutes of November 2, 2020 Regular Meeting, second by Christianson. Roll Call: Ayes; Christianson, Bugbee, Sundhagen

Commissioners Reports:

Christianson: None

Bugbee: Advised Commission Board that Wilmer Roloff is a seasonal part time employee and his employment has ended at the landfill but since the Community Center has a part time open position, she feels that a transfer would be better.

Bugbee made a motion to transfer Roloff to the vacant part time position at the Community Center, second by Christianson. Roll Call: Ayes; Christianson, Bugbee, Sundhagen

Bugbee also advised that she would like to purchase a fog gun that would assist with decontamination and cleaning of the Community Center due to the COVID-19 virus. Sundhagen suggested that applying for the Tioga Fund Community application would be a good use of funds for the fog guns.

Maize: Absent

Sundhagen: Advised Commission Board that at next meeting he will be bringing an application for the 1% County Board for 2 new patrol vehicles. Also advised Commission Board that due to COVID-19 the Tioga Police Department is currently only responding to egregious or problematic emergencies.

Modifications/Approval of Agenda:

Bugbee made a motion to add agenda item #4 Adam Duhe under New Business for discussion and approve agenda with changes made, second by Christianson. Call: Ayes; Christianson, Bugbee, Sundhagen

Old Business:

1. Legal – Elizabeth Pendlay – Advised the Commission Board that the items she was been working on are on the agenda and will review it at a later time.
2. Moore Engineering: Josh Reiner – Handed exhibits to Commission Board and advised them that the punch list items for NE Reconstruction is completed with the exception of a few items that will go onto the warranty list for next summer. Reiner reviewed extra cost for the cleaning, seeding and the sprinkler system at Simons Addition Phase II. Reiner advised Commission Board of status on the TAP 2019 project and handed exhibit of decorative color concrete that will need to be used on side walk since it's for multiuse. Reiner advised that the Tioga Hospital sign on the south end by the street will need to be moved and it would be easier if the City completed that without adding it to the TAP project and create an easement.

Bugbee made a motion to have the City pay for the relocation of the Tioga Medical Center sign, second by Christianson. Call: Ayes; Christianson, Bugbee, Sundhagen

Reiner also gave update on South Main Reconstruction project.

3. Appointment of Tioga Commission President – Elizabeth Pendlay advised Commission Board that 15 days have past as of the resignation of Drake McClelland Commission President of Tioga and that the City Auditor did not receive any request and/or petitions for election of vacant position – Sundhagen advised Commission Board that he is interested in the vacant position of President of the Commission for Tioga. Christianson stated that he feels Sundhagen would be a good representative and leader for the people of Tioga, Bugbee added that Sundhagen has done a great job and he has the best interest of Tioga and its people. Sundhagen states that he has enjoyed working as Police Commissioner and there is allot of progress that has been done and gave his resignation as Police Commissioner for the City of Tioga.

Bugbee made a motion to accept Sundhagen’s resignation as Police Commissioner for the City of Tioga, second by Christianson. Call: Ayes; Christianson, Bugbee, Sundhagen

Bugbee made a motion to appoint Tim Sundhagen as President of the Commission for the City of Tioga, second by Christianson. Call: Ayes; Christianson, Bugbee, Sundhagen

Salinas administers Oath of Office for Commissioner President Seat to Tim Sundhagen: In and for the State of North Dakota In the County of Williams I, Tim Sundhagen 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 the office of Tioga Commission President 06-2022 According to the best of my ability, so help me God (under pains and penalties of perjury).

Pendlay advised that the vacant seat for Police Commissioner will be open for 15 days in which the City will advertise the vacancy. Sundhagen stated that he will continue to make himself available for the Police department due to the grants and other requests that are coming in the future.

Christianson made a motion to appoint Bugbee as Vice President of the Commission for the City of Tioga, second by Bugbee. Call: Ayes; Christianson, Bugbee, Sundhagen

New Business:

4. Adam Duhe advised Commission Board that an accident had happened at his home involving a gun, Sundhagen advised Adam Duhe that he needs to first seek the Tioga Police Department so that they can direct him on who to speak with.
5. Ordinance 2020-06 Tioga liquor License Back Ground Amendment 1st Reading - ORDINANCE NO. 2020-06 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, ARTICLE 3, SECTION 7.0306 OF THE REVISED ORDINANCES OF THE CITY OF TIOGA BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TIOGA, NORTH DAKOTA, AS FOLLOWS: The City Commission finds and declares that the amendment of Chapter 7 (“Business Regulations and Licenses”), Article 3 (“Alcoholic Beverages”), at Section 7.0306 (“Application – Investigation of”) contained within the Revised Ordinances of the City of Tioga is both necessary and desirable to preserve and improve the health, safety and welfare of all members of the community and to ensure that all procedures for such licensing and application comport with current law, protocol and limitations within which all departments of the City must operate. The City finds that said Section 7.0306, in its current form, places an improper and undue burden upon the City of Tioga Police Department and/or its Chief of Police to the extent that the same calls upon such department/individual to investigate and report upon the status and background of liquor license applicants. To that end, said Chapter 7 (“Business Regulations and Licenses”), Article 3 (“Alcoholic Beverages”), at Section 7.0306 (“Application – Investigation of”) is amended as follows: 7.0306. Application--Investigation of. An employee or agent of the City, as appointed by the City Commission, shall investigate the facts stated in the application filed with the Commission pursuant to the provisions of Section 7.0303 of this Article, and shall report the results of this investigation to the Commission prior to hearing on said application. Said investigation and report shall include the character, reputation, and fitness of the applicant to hold the license, together with any other pertinent information regarding the applicant in connection with the license sought. Such employee or agent of the City may secure, utilize and rely upon the services of a third-party vendor or entity to

conduct such character and fitness investigation, together with other publicly available databases and information to prepare and compile its report. The investigation and report shall further set forth a recommendation as to whether or not such license should be granted. In addition, the Commission may request and consider such other recommendations and reports of other City officials in connection with the applicant. Unless specifically requested by the City Auditor's Office, a member of the City Commission, or the City Police Department at the time of the filing of the application, an investigation and report is not required for a transfer involving only a change in location of the licensee or a transfer of license wherein the existing license is to be exchanged for a license of a lower category. 7.0306.01 Other Provisions of Chapter Seven Unaffected. Except as expressly provided in this amended ordinance, all other provisions of Chapter Seven remain unmodified and in full force and effect.

Bugbee made a motion to approve the 1st Reading of Ordinance 2020-06 Tioga liquor License Back Ground Amendment, second by Christianson. Call: Ayes; Christianson, Bugbee, Sundhagen

Consent Approval:

6. Planning and Zoning Applications from Pine Ridge (LND7 LLC) for Final Plat Application, Paul Weyrauch for a Building permit and A & B Rentals (Bob Anderson) for a Preliminary Platt.
7. Tioga Fund Applications for a grant from Tioga Chamber of Commerce for operation budget in the amount of \$14,000, for a 5-year loan from Side Street Diner to purchase an ice cream machine in the amount of \$25,500 and for a grant from Tioga Halloween Committee to purchase a storage container in the amount of \$5,000.
8. Visitor Promotion Application for a grant from Tioga Park Board to purchase Christmas Lights in the amount of \$6,500.
9. New Class E Liquor License Application for Mi Ranchito Taco Shop LLC/Angelberto Rodriguez.
10. Pledge Holdings as of 10-22-2020.
11. Payroll for 11-06-2020

Bugbee made a motion to approve Planning and Zoning Applications from Pine Ridge (LND7 LLC) for Final Plat Application, Paul Wayrauch for a Building permit and A & B Rentals (Bob Anderson) for a Preliminary Plat, Tioga Fund Applications for a grant from Tioga Chamber of Commerce for operation budget in the amount of \$14,000, for a 5-year loan from Side Street Diner to purchase an ice cream machine in the amount of \$25,500 and for a grant from Tioga Halloween Committee to purchase a storage container in the amount of \$5,000, Visitor Promotion Application for a grant from Tioga Park Board to purchase Christmas Lights in the amount of \$6,500, New Class E Liquor License Application for Mi Ranchito Taco Shop LLC/Angelberto Rodriguez, Pledge Holdings as of 10-22-2020, and Payroll for 11-06-2020, second by Christianson. Call: Ayes; Christianson, Bugbee, Sundhagen

With no further business, the meeting of the Tioga City Commission was adjourned by unanimous vote moved by Bugbee, second by Christianson at 8:07p.m. call: Ayes; Christianson, Bugbee, Sundhagen

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

Tim Sundhagen, President of Tioga Commission

ATTEST:

Abby Salinas, Tioga City Auditor