

**CITY OF TIOGA**  
City Commission Meeting Minutes  
December 7, 2020

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

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

ABSENT:

GUEST: Dan Larson, Josh Reiner, Jacob Orledge, Josh Nelson, Shawna Nelson, Vickie Augustus

**Bugbee made a motion to approve the Commission Minutes of November 16, 2020 Regular Meeting, second by Maize. Roll Call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

**Bugbee made a motion to approve the Commission Minutes of November 16, 2020 Public Hearing, second by Maize. Roll Call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

**Commissioners Reports:**

Christianson: None

Bugbee: Advised Commission Board just as an FYI that the limit of people for school activities is 50 in the gymnasium due to COVID-19 and Governors mandate.

Maize: None

Sundhagen: None

**Modifications/Approval of Agenda:**

**Bugbee made a motion to add agenda item #4 Police Department under New Business and approve agenda with changes made, second by Maize. Call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

**Old Business:**

1. Legal – Elizabeth Pendlay – Advised the Commission Board that she reviewed the Master Engineer Service Agreement and she has meet with Reiner and reviewed all changes that need to be made. Pendlay states its ready to sign.

**Christianson made a motion to sign the Master Service Agreement with Moore, second by Bugbee.**

**Call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

Pendlay advised the Commission Board that there is a legal matter that she needs to advise them of regarding 2018 TAP and Litigation and is seeking an executive session with the Commission Board under ND.C.C 44.04.19.01 and it will be recorded under ND.C.C 44.04.19.02

**Bugbee made a motion to go into Executive Session at 7:12 to consult with Attorney on procedural and legal matters NDCC 44-04-19.01, second by Christianson. Call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

**Bugbee made a motion to move out of Executive Session at 7:40pm, second by Christianson. Call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

**Bugbee made a motion to reopen General Commission Meeting at 7:41 pm, second by Christianson.**

**Call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

**Christianson made a motion to pay any outstanding TAP 2018 Bills, second by Bugbee. Call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

2. Moore Engineering: Josh Reiner – Advised Commission Board that Simons Addition warranty was received and is working on closing it out. Reiner handed exhibit of TAP 2019 plans for their review. Reiner advised Commission Board that he will be sending a clean copy of the Master Contract Agreement for Services to Salinas with all changes made by City Attorney Pendlay. Reiner also gave

update on South Main Reconstruction project and stated that he will be sending a draft contract to Pendlay for her review by next Commission meeting.

3. Ordinance 2020-06 Tioga liquor License Back Ground Amendment 2ndst 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 are 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 2nd Reading of Ordinance 2020-06 Tioga liquor License Back Ground Amendment, second by Christianson. Call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

New Business:

4. Police Department – Lieutenant Joshua Nelson – Handed exhibit of 1% County Grant Application for the new Zuercher CAD application in the amount of \$54,358.43 to Commission Board for their review and approval to send to the 1% County Board. Sundhagen states that this application will centralize 911 and dispatch officers more efficiently, he also states that it will track officers when out in the field which is a huge safety component.

**Bugbee made a motion to approve the 1% County Grant Application for the new Zuercher CAD application in the amount of \$54,358.43 to be sent to the 1% County Board for their review and approval, second by Maize. Call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

Handed exhibit of 1% County Grant Application for the 2 New Patrol Vehicles application in the amount of \$120,126.48 to Commission Board for their review and approval to send to the 1% County Board. Sundhagen states that this is replacing the last 2 older vehicles Tioga Police Department has and that amount includes the entire conversion package.

**Christianson made a motion to approve the 1% County Grant Application for the 2 new Patrol Vehicles application in the amount of \$120,126.48 to be sent to the 1% County Board for their review and approval, second by Maize. Call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

Handed Exhibit of Training materials that will be needed for Use of Force training that includes simulator paint rounds and 3 conversion kits for duty hand guns and 400 rounds of paint ammunition in the amount of \$3,030.19. Sundhagen states that the Police Department has the money in the budget to purchase.

**Maize made a motion to approve the Use of Force training that includes simulator paint rounds and 3 conversion kits for duty hand guns and 400 rounds of paint ammunition in the amount of \$3,030.19, second by Bugbee. Call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

Handed Exhibit of clothing attire and more training materials that will be needed for Use of Force training in the amount of \$1,620.00. Sundhagen states that the Police Department has the money in the budget to purchase.

**Maize made a motion to approve the use of force training Clothing attire and materials for the use of force training in the amount of \$1,620.00, second by Bugbee. Call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

Sundhagen advised the Commission Board that the Museum had a soft opening on December 5<sup>th</sup> and 6<sup>th</sup> and it was successful, however Sundhagen wanted to get the opinion of the Commission Board on assisting in hiring a full-time employee that would be for the Museum Board to assist then with the coordination and cleaning. Bugbee asked Ronnie Lund (President of the Tioga Norseman Museum) if the Commission Board could receive more information in order for them to make an informed decision. Discussions held.

Salinas advised Commission Board that the Street and Water Department are using 8-year-old computers that are not working properly and need to be updated.

**Christianson made a motion to approve the purchase of 2 new computers for the Street and Water department, second by Maize. Call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

5. Open Commission Seat – Salinas advised the Commission Board that no one turned in paper work for the open position for the Commission seat.

**Christianson made a motion to table appointing the vacant Commission Seat until next commission Meeting on 12-21-2020, second by Bugbee. Call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

6. 1986 City of Tioga Street Sander – Salinas advised Commission Board that the Street Superintendent Kirk Odegaard is seeking permission to put up the old Ford 1986 Sander up for bid/sale. Sundhagen states that if approved he would like the wording on the public notice to state “Commission Board has the right to reject any and all bid”.

**Bugbee made a motion to approve placing the sander up for bid and when putting the ad in the newspaper for it to state that the Commission Board has the right to reject any and all bids, second by Maize. Call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

7. Leased City Grader – Salinas handed exhibit to Commission of new lease agreement for the leased City grader, the old agreement ends in February 2021 and will need to be renewed.

**Maize made a motion to continue leasing the grader, second by Christianson. Call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

8. Annabelle – Dan Larson – Handed exhibit of City Plat in the Annabelle area and is seeking permission to have Moore fix the plat lines that were not correct when Annabelle first got platted as a subdivision.

**Christianson made a motion to approve having Moore survey and fix the plat lines that are incorrect in the Annabelle subdivision, second by Bugbee. Call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

9. Community Center – Sundhagen advised the Commission Board and the constituents that due to COVID-19 the Community Center is one of the only places in town that is big enough to hold any activity without being out of compliance. Discussions held regarding the Community Center rates.
10. City of Tioga Schedules of Commission Meetings, Planning and Zoning Meetings, City Holidays and Payroll – Salinas handed exhibits of City of Tioga Schedules for Commission Meetings, Planning and Zoning Meetings, City Holidays and Payroll for their review and consideration.

**Christianson made a motion to approve City of Tioga Schedules for Commission Meetings, Planning and Zoning Meetings, City Holidays and Payroll, second by Bugbee. Call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

Consent Approval:

11. Special Liquor License Applications – Model Tavern for a wedding at the Community Center on Jan 2, 2021 and from The Rig for the City Christmas Party on December 11, 2020 to the Commission Board.
12. Payroll for 11-20-2020 and 12-07-2020
13. Bills for November 2020 – TOTAL \$870,853.36: Aramark \$620.30; Boss \$45.92; Computech \$350.00; ND Flag Pole Guy \$247.65; Info Tech \$107.50; Lonis Cleaning Service \$224.50; National Pen Co \$251.51; ND ONE CALL \$50.40; NDACO \$54.00; NCC \$2,151.97; Office Depot \$91.22; Preble Medical \$170.00; R & T \$101.40; R & T \$71,415.96; Safailand \$218.57; T&E Power Systems \$186,428.00; Tioga Drug \$3.59; Tioga Hardware \$1,128.23; Tioga Historical Society \$14,522.24; Tioga Parts \$750.55; Tioga Tire \$837.00; Tioga Tribune \$394.05; ULINE \$2,167.37; WEX BANK \$49.40; Williams Co HWY Dept \$395,338.02; VISA \$5,546.52; Riteway \$228.00; AMAZON \$180.75; Border Plains \$83.75; Circle Sanitation \$152,814.00; Connole & Somerville \$2,590.00; DEMCO \$128.59; Esterholm Construction \$550.00; First District Health Dept \$75.00; Furseth \$750.00; Galls \$628.40; MDU \$9,502.86; Northern Energy \$3,325.00; Office Depot \$360.75; Pendlay Law \$4,020.00; Pinnicale \$2,332.89; Praxair \$45.52; Preble Medical Service \$167.00; Shift Service \$2,300.00; Tioga Tribune \$43.31; ULINE \$98.62; US BANK \$450.00; USA Central Alarm \$90.00; VERIZON \$903.69; VISA \$71.47; VISA \$388.80; VISA \$2,993.66; Vogel Law \$1,056.00; Wanda Bagley \$1,237.50; WHAM \$96.93; Willaims Co \$75.00
14. Financials for October 2020 – Balance Sheet and Fund Summary  
Salinas handed exhibit of Special Liquor License Applications from the Model Tavern for a wedding at the Community Center on Jan 2, 2021 and from The Rig for the City Christmas Party on December 11, 2020 to the Commission Board, Payroll for 11-20-2020 and 12-07-2020, Bills for November 2020, and Financials of Fund Summary and Balance Sheet for October 2020 to Commission Board for their review and consideration.

**Bugbee made a motion to approve all the items on the consent agenda, second by Christianson. Call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

**With no further business, the meeting of the Tioga City Commission was adjourned by unanimous vote moved by Bugbee, second by Christianson at 9:00p.m. call: Ayes; Christianson, Bugbee, Maize, Sundhagen**

The next meeting of the City of Tioga Commission Meeting is scheduled for Monday December 21, 2020 at 7:00 p.m., to be held at the Tioga City Hall.

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Tim Sundhagen, President of Tioga Commission

ATTEST:

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Abby Salinas, Tioga City Auditor