

CITY OF TIOGA

Tioga Fund Advisory Board Minutes
Wednesday, February 28, 2018
Unofficial

A meeting of the Tioga Fund Advisory Board of the City of Tioga was called to order at 6:00 pm on Wednesday, February 28, 2018 at the Tioga City Hall, by President of the Tioga Fund Advisory Board, David Grubb.

PRESENT: David Grubb, Russ Papineau, Myles Rosencrans, Don Freborg, Todd Thompson, and Ronica Pederson
ABSENT: Roger Enders
Guest: Wayne Knutson, Bob Anderson, Dennis Lindahl, Dan Larson

Minutes:

1.) February 12, 2018 minutes

Rosencrans made a motion to approve the minutes of February 12, 2018; second by Freborg.

Call: Aye- David Grubb, Russ Papineau, Myles Rosencrans, Don Freborg

Nay- None

Reports:

2.) Tioga Fund Balance

Papineau made a motion to approve the balance sheet, second by Rosencrans.

Call: Aye- David Grubb, Russ Papineau, Myles Rosencrans, Don Freborg

Nay- None

New Business:

3.) Application for A & B Rentals for Driveway

Grubb stated that the Planning and Zoning Board and City Commission has approved Bob Anderson's request with A & B Rentals to install a driveway under the City Engineer's recommended specifications. Bob Anderson has put an application in for funding through the Tioga Fund. Bob Anderson stated when he initially put the application in he was told to go in a different direction for requesting funds from under Community Improvement for Capital Improvements, in which he was told later his application would be seen under the Store Front Grant. Anderson stated he decided he is putting new garage doors and new rain gutters, so he is adding them to his application with the driveway. (Prior to the meeting being called to order, Anderson handed everyone additional papers which included an invoice from Overhead Door and a handwritten statement with estimated totals for all projects with a disclaimer that he hasn't received an estimate for gutters yet.) Grubb asked if either of the additional projects have started yet. Anderson responded the garage doors have been installed, the bill has not been paid and he will make sure it's not paid until it is approved, but if he needs to he can have the doors removed, so he can be reimbursed. Grubb pointed out the first item on the list of conditions for the Store Front Grant is that the 'Application must be approved by Tioga Fund Advisory Board and the City Commission before the commencement of the project' and others have inquired about the Store Front Improvement after they had already done work, which made their application ineligible. Anderson said, "in my defense if I would have known that this was how it was going to be put in this way, this isn't the way I wanted to go with it. If you know what I'm saying, this is how I'm being led to go this other angle, so if I would have known that I could have put in for Store Front, I would have went for that right away. Again in my defense, this has been a real long process and anyone that has been following the paper knows this has been brutal, we shouldn't even have have to discuss, it [driveway] got removed and I don't want to point fingers at anybody, but it shouldn't have ever been removed in the first place, so basically I am asking to get the driveway put back in, and it's [application] going to Store Front now and if I would have known about

the Store Front, I would have absolutely went this way and the garage doors would have been a part of it” Grubb asked Thompson if he made a recommendation for Anderson to go to Tioga Fund. Thompson stated he suggested he could look into the Tioga Fund as an option if the project qualified, and that he didn’t say whether it would qualify or be approved, it was just a suggestion as a possible option. Grubb verified if Thompson specified the Store Front Grant or not. Thompson stated he did not mention a specific fund for him to apply. Anderson said, “I went to the city and this one [pointing toward Pederson] and Dan told me to go to Capital Improvement, and if I would have been directed the right way then everything we are discussing would be on the table.” Pederson stated when Anderson came in to the City Hall inquiring about the Tioga Fund, that she was the one that gave Anderson all information for each application for the Tioga Fund, which included the information for the Store Front Improvement Grant. Pederson stated she did tell Anderson she wasn’t sure if a driveway would qualify, since one of the conditions for the Store Front states, ‘Improvements must be permanent fixtures to the building and visible from the store front’ and the board would have to determine whether that would qualify. Pederson also stated that when she explained it was a 50% match up to \$5000.00, at the time Anderson told her he wanted 100%, in which Pederson explained that she had informed him she had never seen an application for 100% from a for-profit business, and most all applications including nonprofit usually have cost-sharing involved and is shown on these applications. Anderson stated that the City sometimes pays for other things for other business owners. Knutson stated Norgaard handicap access on the sidewalk. Discussion held regarding off topic comment. Anderson then states he feels sorry for the City because of these engineers running around charging the City a lot of money to do a project, mess it up, and then leave someone else to pay for it and what they did was not right. Grubb states that if or when the City or it’s engineering firm has acknowledged a mistake, whether it was something that pertained to a handicapped accessibility, they have corrected that. In this situation with the driveway, no one has claimed any mistake or error. Grubb stated it was posted in the newspaper around 10 times and there were 2 public hearings, and the former owner did operate a good length of time without a driveway. Anderson stated “I agreed with your statement, but I want to give you a little history, as to why I didn’t call Pinnacle earlier than I did, which I only did a couple weeks ago and talked to Todd, the manage at Pinnacle, and he told him during these meetings on the sidewalks and street there was nothing said about removing the driveway. So he sent Dave to the City, the City had told him this is just the way it’s going to be and that’s what you have to live with and that’s exactly what Todd told me. So, I’m just saying that as a community, we don’t treat businesses this way and I don’t know who said that, I would have to call Todd and he would have to call Dave, but those were his words out of his mouth to me, that they were told they have to live with it.” Grubb states this advisory board was appointed by the City and they are just the volunteers that act on applications and make recommendations to the Commission and none of them can speak to anything that Anderson is referring to and all the Advisory Board members can do is deal with the application on hand. Anderson states he is asking the Advisory Board to allow everything he is submitting tonight as part of his application and states he was told by Commission President McClelland over breakfast at Pinnacle that we’ll put the driveway in for you, but that he won’t admit to his statement now because he is against it now. Grubb states the issue they are dealing with is the application and whether the new additions to the application will qualify because of timing issues and work already being done. Grubb asked for comments or questions from advisory board members. Freborg asked when work was started on the overhead doors. Anderson replied about a month ago. Discussion continued regarding when the driveway was first mention in Commission Meeting minutes and whether McClelland alleged statements should hold any merit for the Tioga Fund. Anderson stated that relating to McClelland’s statement he was talking to Commissioner Weflen regarding what was said to him and differences with what Weflen and McClelland were saying. Anderson stated he called McClelland with Weflen there able to hear the conversation and McClelland was blaming things with the driveway on Weflen. Larson stated that Anderson’s comments have been stated at a commission meeting but as far as he is aware McClelland has never admitted to any of those statements. Larson also stated that when this property was purchased, it was purchased as is, and the sidewalk/driveway was obviously a situation which Anderson knew when he purchased it, and what was done in the past is done, and only the current issue at hand with a new owner of the property is what should be dealt with. Grubb stated again that the issue that is currently being dealt with is the Application as a Store

Front Improvement, and the board members should not be using hearsay in influencing any applications being considering and the Advisory board members are not in disagreement that work has not been done with the driveway, what they need to discuss is the new items being added to the application where some work has already been done. Bob stated again that he wasn't led to go to Store Front and was led to go another way by the City. Pederson stated again that when Anderson came in to the City inquiring about the Tioga Fund, she printed off all 3 applications and handed them to him explaining he could read all the information and fill out which application he felt was the most appropriate. Anderson had asked Pederson, at that time, to explain the Tioga Fund and all the applications even asking if Pederson would write the application for Anderson, which Pederson stated she said no, and explained that is a conflict of interest and the application is to be filled out by the applicant. Pederson stated that she did explain the application for the Economic Development, and it intent for the fund to economically grow the City, then she explained the Store Front Grant stating that Anderson refused to consider the Store Front once she explained it was for 50% matching Funds, relaying his response was he felt the City was responsible and he wants the City to pay 100%. Pederson stated she informed Anderson, during that time, she had never seen an application requesting 100% funding from a business, yet he insisted where he could ask for 100% and she stated the only application that he could maybe request 100% was Community Improvement using the driveway as a Capital Improvement, but she stated she told him again she had never seen an application requesting 100% funding. Anderson stated that he was given the wrong information and told to go the wrong way. Pederson stated that she explained the all the applications and their process to the best of her ability and she would never intentionally mislead anyone, pointing out that Bob request was for 100% as he kept telling her when going over the application. Anderson stated then who he really feels is responsible and should be paying for the driveway is the engineer. Rosencrans stated that what they need to question is whether the doors qualify with work already being done. Grubb stated that the board needs to be very consistent in making recommendations, and as in the past when someone has done improvements and they were not considered since work was done prior to applying for funds. Anderson stated he could remove the doors if he needs to, so they will get paid for. Grubb stated that isn't going to help. Rosencrans said since this has been an on-going issue and they are not paid for it might be an option. Grubb pointed out one other case where they had significant improvements to the Store Front and if there is an exception made they need to extend that exception to the other store owner. Pederson stated that this advisory board had a meeting to create these list of conditions, so that the board had guidelines to go by, by making an exception for one business owner, that could create a list of previous projects they may need to reconsider that were never put through due to any of these guidelines, which could extend to having to make exceptions in future projects. Papineau stated the board needs to be consistent, their meetings and minutes are public record, and their recommendations need to follow the guidelines that were set especially because these are tax dollars, making exceptions could cause a mess, and we shouldn't consider making exceptions in the first place. Anderson stated that he agrees with what they are saying but if "that someone in the City would have steered me in the right direction in the first place, you wouldn't be sitting here talking about it, you would have already voted on it." Rosencrans stated he agrees the board needs to be consistent and said he thinks the driveway would be good, the rain gutters would be good, but since the doors were already started and almost done they do need to be consistent. Anderson stated again, he could remove the doors if he needs to. Grubb states that it is not going to help the cause to talk about undoing a project that was already started. Anderson stated again if he would have been steered the right direction they wouldn't be talking about this "nonsense". Rosencrans stated that since part of the application was started already, we can't go back with the garage doors, but I believe the rain gutters, and driveway would qualify for the match up to \$5000.00. Freborg asked for clarification on the conditions, if the grant is for a 1-time application, or each business up to \$5000.00, so a business would have a \$5000.00 maximum. Anderson questioned if a business could apply multiple times for \$5000.00 for the Store Front grant? All members agreed that would not be right and they wouldn't allow that. Grubb stated that the match would be a maximum \$5000.00 per business, that a business cannot apply again after they have received that maximum. Anderson asked Commissioner Thompson if the City has a liability to the driveway. Thompson stated that the City has not admitted to any kind of fault when the driveway was removed or currently, as far as Thompson is aware the City followed

regulations, policy, and procedures during that process. Anderson stated he has asked for paperwork between the City Officials and Pinnacle, the Engineers and Pinnacle, any restitution to remove the driveway, and he asks if the City had a street and sidewalk project in front of your house, and you were gone, say when you came home the driveway was gone to your garage, now the City tells you that you have to pay for it. Multiple people stating, that wouldn't happen, the city would have to have public hearings. Anderson said, there you just said it, the City should have had a public hearing or something. Multiple people stating, there was. Grubb stated there was public hearings and he stated he was at some of them, every business was made aware and invited to these meetings which the entire plan was available at these meetings. Grubb stated this isn't a City Commission meeting and these discussions are not the purpose of this group to deal these other issues, our sole purpose is to look at the grant application, try to be consistent and act on the application by making a recommendation. A question was asked regarding Tioga's Renaissance Zone, Pederson gave a brief description of what the Renaissance Zone is and stated, it is not a part of the Tioga Fund. Knutson asked if someone can apply for both Store Front and Renaissance Zone. Pederson responded no. Knutson questioned the City approving to fix a handicap access in front of another business on Main Street. Pederson responded as far as she is aware handicap accessibility is a federal regulation the City must comply with on its sidewalks. Anderson states why the City wouldn't admit fault for the driveway is beyond me. This is like removing the front door to a business, and they would have to notify someone right? Grubb pointed out the previous owners operated for quite some time after the driveway was removed.

Rosencrans made a motion to approve the application from the Store Front Grant for driveway and rain gutters, second by Freborg.

Call: Aye- David Grubb, Russ Papineau, Myles Rosencrans, Don Freborg

Nay- No voting member voted no, however Bob Anderson stated he opposed their decision

4.) Application for EDC- website

Dennis Lindahl thanked the board members for considering the EDC application and explained the EDC would like to get their own website consistent with other municipalities, to help attract residents and businesses to the area while also providing this website to help support Tioga's current economy and businesses by providing information and advertisement to EDC and Chamber member businesses on the website. Grubb ask about the cost for the business to be a part of this. Lindahl explained it would be a part of their member ship fee each year, which he believed was about \$125.00 per year. Freborg asked what would be the maintenance? Lindahl explained the EDC would like to be able to take possession of the website without having to get special software and not having to build a special wireframe with constant updates. The EDC would need to purchase a good URL, the person creating the website is not charging for 1 year of Hosting and free Domain registration. Rosencrans verified if a new business comes in they will be able to be added to the website. Anderson stated that Tioga Tire and the clothing store is not on the EDC's list. Lindahl responded that he can get those businesses an application for EDC membership, if they would like to become members.

Freborg made a motion to approve the application from Economic Development portion of the Tioga Fund, second by Papineau.

Call: Aye- David Grubb, Russ Papineau, Myles Rosencrans, Don Freborg

Nay- None

5.) Scheduling one monthly meeting date for the Tioga Fund Advisory Board

Pederson asked the Tioga Fund members to consider scheduling a monthly meeting date for the Tioga Fund. Explaining how it would help alleviate many hours spent contacting people to attend these meetings and ensure of a quorum. Also explaining that many of these types of boards only have 1 monthly meeting and she would like to try to keep these meetings to 1 meeting per month. Board members agreed they should have 1 monthly meeting date.

Rosencrans made a motion to schedule if a meeting is needed, the Tioga Fund monthly meeting for the 2nd Tuesday at 6pm each month, second by Papineau.

Call: Aye- David Grubb, Russ Papineau, Myles Rosencrans, Don Freborg

Nay- None

Anderson asked to make a final comment, stating "this has been a long ordeal and I've said a few things here and there and this has just been a really long ordeal, and I thank you for your decision and the main thing is I'm getting a foot back in and if I have to pay half, I guess so be it, do I feel that I should, probably not. And I'm sorry if I dragged the meeting on a little bit long, thank you guys."

With no further business, the meeting of the Tioga Fund Advisory Board was adjourned at 7:30 p.m.

David Grubb, President of the Tioga Fund Advisory Board

ATTEST:

Ronica Pederson, Deputy Auditor