

**CITY OF TIOGA**  
City Commission Meeting Minutes  
April 6, 2020

A meeting of the City Commission of the City of Tioga was called to order at 7:00 pm on April 6, 2020, at the Tioga City Hall, by the City Commissioner Drake McClelland.

PRESENT: Drake McClelland, Tim Christianson, Tim Sundhagen, Heather Weflen, Elizabeth Pendlay and Abby Salinas (Zoom)  
ABSENT: Natalie Bugbee  
GUEST: Dan Larson, Jacob Orledge, Austin Rollag, Josh Reiner, Cody Knutson, Loyd Mosley, Tyler Judkins, Matt Lierz, Sandy Clark

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

**Commissioners Reports:**

Christianson: Advised Commission Board that the water tower has a leaking valve, Moberg (Water Superintendent) has already contacted Landmark Construction and they are working on a fix but they will have to drain a portion of the water.

Bugbee: Absent

Sundhagen: Advised Commission Board that construction has been shut down due to the COVID-19 Emergency Declaration the Governor of ND passed. There will be some added cost due to having to rent a storage facility to hold some items while the new Police Station is on hold and that he has given authorization to use some areas of the new Police Station for decontamination. Sundhagen also advised that there has been some theft in Tioga and it is under investigation, he is asking that the people of Tioga be patient and not call trying to get information from the Police Officers. Sundhagen stated that while any case is under investigation Police Officers can't give any information only take witness evidence.

Weflen: Advised Commission that the sweeper is fixed and will be coming in this week. Other items Weflen is working on is coordinating a meeting with the County Engineer for to finalize the street project on 68<sup>th</sup> (Signal Road), review the coming completion plans of Simmons Addition phase 2, and recycling options for the City of Tioga.

McClelland: Advised Commission Board that if time is taken off or overtime is required due to COVID-19, time sheets need to be annotated.

**Modifications/Approval of Agenda:**

**Sundhagen made a motion to add to the agenda under new business agenda item #5 Sewer Extension, second by Christianson. Call: Ayes; Christianson, Sundhagen, Weflen**

**Old Business:**

1. Legal – Elizabeth Pendlay – Advised the People of Tioga and Commission Board to be patient and supportive while we all are trying to work together to get through these difficult times caused by the COVID-19 virus. Pendlay advised the Commission Board that McClelland and herself have spoken to Steve Eberle and he stated he will not be returning to finish any of the projects that were left and overseen by his firm Ackerman-Estfold. Pendlay informed Commission Board that she has spoken to Moore Engineering and they will step in where needed and since the construction crew for Simons Addition Phase 2 is already mobilized she will need authorization to have McClelland sign contract with Moore Engineering to finish Simons Addition Phase 2 contingent upon review and approval by legal.

**Christianson made a motion to have McClelland sign the contract with Moore Engineering for overseeing the completion of construction of Simons Addition Phase 2 contingent upon review and approval by legal, second by Sundhagen. Call: Ayes; Christianson, Sundhagen, Weflen**

2. Moore Engineering: Josh Reiner – Advised Commission Board of the Bid process and opening for the North East Reconstruction that will be taking place. Reiner also advised the Commission Board that the City Spec Book has been completed and reviewed by the Water and Street Superintendent, he is now seeking adoption of the Tioga City Specs.

**Christianson made a motion to adopt the updated City of Tioga Spec Book, second by Sundhagen. all: Ayes; Christianson, Sundhagen, Weflen**

3. FCI Construction- Austin Rollag – Advised the Commission Board of the status for the Police Station and Museum construction. Also stated that due to the COVID-19 the punch list items are yet to be completed. Rollag states that when punch list items are completed, he will have an owner training and will be seeing partial retainage release on the next Commission Meeting.

Cody Knutson Water and Sewer – Discussions held on when water and sewer would be completed in area where Knutson purchased property.

#### **New Business:**

4. Emergency Declaration – Salinas handed exhibit to Commission Board of Emergency Declaration for Tioga due to COVID-19. COVID-19 MUNICIPAL DECLARATION OF EMERGENCY City of Tioga, North Dakota April 6, 2020. WHEREAS, based upon the information available to the City of Tioga (“the City”) through various public health authorities and governmental entities, it is understood that COVID-19 is a severe respiratory illness, caused by the SARS-CoV-2 virus, which is a novel coronavirus that is easily and readily transmitted from person to person, posing a significant threat to the health and safety of the residents of the City of Tioga and further posing a threat to the healthcare system currently available within the community; and WHEREAS, as of the date of this declaration there is no known cure, drug, or vaccine to treat or prevent COVID-19; and WHEREAS, the United States Department of Health and Human Services Secretary Alex Azar declared a national public health emergency for COVID-19 on January 27, 2020; and WHEREAS, the World Health Organization declared COVID-19 a global pandemic on March 11, 2020; and WHEREAS, on March 13, 2020, President Donald Trump issued a declaration of national emergency in response to the appearance and transmission of COVID-19 throughout various locations in the United States; and WHEREAS, on March 13, 2020, North Dakota Governor Doug Burgum issued Executive Order 2020-03, declaring a state of emergency in response to the public health crisis resulting from COVID-19; and WHEREAS, on March 16, 2020, in response to the appearance of COVID-19 within the state of North Dakota and nearby county, the President of the City of Tioga Commission temporarily suspended all public meetings within the City of Tioga pending further action and the development of the situation; and WHEREAS, on March 18, 2020, Tioga City Hall was deemed closed to the public, such that employees would remain at work or work remotely, but would conduct such business by virtual, telephonic, or other remote means where feasible; and WHEREAS, since the issuance of North Dakota Executive Order 2020-03, declaring a state of emergency within the State of North Dakota, the City has called upon its departments to activate and implement their respective current emergency response and preparedness plans, measures, and protocols, and to further review and, where necessary and appropriate, to tailor and enhance their existing preparedness response and emergency plans, measures, and protocols so as to assist in national, statewide, and local efforts to stem and mitigate the spread of the novel coronavirus; moreover, the City has instructed its departments to adhere to all orders, instructions, guidelines, and recommendations issued by the national Centers for Disease Control, and all North Dakota state governmental and health authorities; likewise, the City has instructed all department supervisors to educate and inform, on a continuing basis, all City personnel, together with any contractors doing business with or on behalf of the City, of such existing preparedness response and emergency plans, measures and protocols and to take all necessary measures to come into and remain in compliance with the same. WHEREAS, on March 31, 2020, Commission President Drake McClelland issued a local

emergency declaration pursuant to North Dakota Century Code Section 37-17.1-10, which permits the declaration of a local emergency by the principal executive officer of the City, so long as such declaration does not continue for a period in excess of seven (7) days, except by or with the consent of the governing board of the City; and WHEREAS, on April 6, 2020, the Commission of the City of Tioga held a Commission meeting, which, among other matters, addressed the continuing spread and growth of COVID-19 infections within the United States, the State of North Dakota, and within Williams County in which the City is located; as of the date of this declaration, the North Dakota health authorities and various press reporting have provided that one or more of the diagnosed COVID-19 cases within Williams County have occurred through community spread, a fact which demonstrates an imminent threat to the community of the City of Tioga; furthermore, based upon press reporting and information available through various governmental and health authorities, which have articulated testing and reporting protocols in North Dakota, together with generalized information pertinent to the novel coronavirus itself, it is apparent that the full and complete information about the precise and actual prevalence and existence of COVID-19 infections within North Dakota remains unclear, and the available reporting and testing likely underrepresents the true number of cases and infections present within the State and the county within which the City lies. WHEREAS, preparedness, response, and recovery from the COVID-19 virus requires an all-of-government and all-of-community approach across all governments and departments of governments, as well as the assistance and cooperation of private and non-profit sectors, and the virus has the risk of substantially endangering the health, safety, and property of the citizens of Tioga. To this end, and absent any present indication that spread of this virus has been effectively curtailed or eradicated within the State of North Dakota, the continuation of the March 31, 2020 COVID-19 Emergency Municipal Declaration issued by Commission President Drake McClelland must be perpetuated and continued by the City Commission of the City of Tioga in order to protect the citizens of Tioga. NOW, THEREFORE, BE IT RESOLVED, that the Commission of the City of Tioga does declare that a state of emergency exists and will continue to exist for some period of time in the City of Tioga, North Dakota, in connection with the public health crisis arising out of the novel coronavirus (COVID-19). This declaration shall remain in effect until such time as the same is terminated by the City Commission based upon a review of sufficient and credible information which would indicate and demonstrate that the instant public health threat associated with the novel coronavirus has been ameliorated and extinguished. IT IS FURTHER RESOLVED, that all City departments shall comply all orders, instructions, guidelines, and recommendations issued by the national Centers for Disease Control and all North Dakota state governmental and health authorities, together with any local orders, instructions, guidelines, and recommendations issued by the City of Tioga, and such City departments shall activate and implement their existing preparedness response and emergency plans, measures and protocols and shall continue to monitor, supplement, and enhance such plans, measures, and protocols as may be necessary or appropriate as these circumstances develop and evolve. IT IS FURTHER RESOLVED, that all department supervisors shall educate and inform, on a continuing basis, all City personnel, together with any contractors doing business with or on behalf of the City, of such existing preparedness response and emergency plans, measures, and protocols, together with all orders, instructions, guidelines, and recommendations issued by the national Centers for Disease Control, North Dakota state governmental and health authorities, and any local orders, instructions, guidelines, and recommendations issued by the City of Tioga, and to take all lawful and necessary measures to come into and remain in compliance with the same. IT IS FURTHER RESOLVED, that this Declaration shall be immediately distributed to each department supervisor, who shall in turn effect further dissemination of this Declaration to all City personnel and contractors. This Declaration shall be immediately posted at City Hall, immediately filed with the City Auditor of the City of Tioga, and shall otherwise be immediately distributed to the press and through other public means so as to inform the citizens of the City of Tioga of the Declaration made hereunder. Dated this 6 day of April, 2020.

Discussions held on City construction, McClelland stated that as soon as the Commission is able to safely remove the Emergency Declaration he will call a special meeting. Park Board Manager Tyler Judkins asked Commission Board for advice on filling pool and other items needed around park.

**Sundhagen made a motion to approve the Tioga Emergency Declaration due to COVID-19, second by Christianson. Call: Ayes; Christianson, Sundhagen, Weflen**

5. Sanitary Sewer Extension – Josh Reiner - Handed exhibit to Commission Board of quote for new Sanitary Sewer Extension by Ruach Construction in the amount of \$283,000.00 for their review and consideration. Discussions held.

**Weflen made a motion to table the Sanitary Sewer Extension, second by Christianson. Call: Ayes; Christianson, Sundhagen, Weflen**

6. Tioga Library Board – Salinas handed exhibit to Commission Board of letter from Jessica Molina stating that she is interested in continuing her position in the upcoming open position for the Tioga Library Board for their review and consideration.

**Weflen made a motion to appoint Jessica Molina for a 3-year term on the Tioga Library Board, second by Sundhagen. Call: Ayes; Christianson, Sundhagen, Weflen**

7. Payroll – Salinas handed exhibit of payroll for 04-7-2020 for their review and consideration.

**Sundhagen made a motion to approve payroll for 04-7-2020, second by Christianson. Call: Ayes; Christianson, Sundhagen, Weflen**

8. Bills - Salinas handed exhibit to Commission Board of City of Tioga Bills for March 2020 for their review and consideration. Total \$436,485.88: Wanda Bagley \$1550.00; Ameripride \$359.75; BOSS \$128.51; Braaten \$1,050.00; Computech \$7,417.27; Ferguson \$2,270.21; Fiesel Law \$1,022.83; Info Tech \$144.50; Minot Automotive \$149.83; Moore \$111,510.00; ND One Call \$10.80; NCC \$1,447.03; NW Vet \$443.88; Midwest Welding \$1,433.23; Office depot \$96.43; Railroad \$258.95; Tioga Hardware \$336.24; Tioga Parts \$359.46; Tioga tribune \$727.81; ULINE \$151.91; VISA \$4,983.43; Wham \$49.90; Central States Wire \$210.00; Deq Chemistry \$252.12; Dirty Diesel Repair \$250.00; Pinnacle \$3,233.29; Amazon \$285.66; Postmaster \$76.00; Praxair \$27.33; R & T \$60,619.88; Share Corp \$2,536.19; Verizon \$917.28; MDU \$9,851.45; EAPC \$6,770.81; Circle \$25,376.56; K Squared \$2,110.91; Menards \$129.99; ND Guarantee & Title Co \$278.00; ND Water & Pollution \$30.00; Office Depot \$379.52; Papineau Ins \$43,671.00; Pendlay Law \$4,138.20; Ramkota \$359.97; Special Store \$7,043.64; MWEC \$1,498.48; Tioga Drug \$4.46; Tioga Tribune \$75.26; US Bank \$126,150.00; Westlie Motor \$649.99; Pitney Bowes \$329.98; Williams County Hwy Dept \$1,454.10; Advanced Business Methods \$104.74; Galls \$55.04; Gustafson \$1,280.00; Ruach Resources \$434.06

**Christianson made a motion to approve Bills for March 2020, second by Weflen. Call: Ayes; Christianson, Sundhagen, Weflen**

9. Financials - Salinas handed exhibit to Commission Board of City of Tioga Financials for February 2020 for their review and consideration.

**Sundhagen made a motion to approve Balance Sheet for February 2020, second by Weflen. Call: Ayes; Christianson, Sundhagen, Weflen**

**Weflen made a motion to approve Fund Summary for February 2020, second by Christianson. Call: Ayes; Christianson, Sundhagen, Weflen**

**With no further business, the meeting of the Tioga City Commission was adjourned by unanimous vote moved by Sundhagen, second by Christianson at 9:30 p.m. call: Ayes; Christianson, Sundhagen, Weflen, McClelland**

The next meeting of the City of Tioga Commission Meeting is scheduled for Monday April 20, 2020 at 7:00 p.m., to be held at the Tioga City Hall.

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Drake McClelland, City Commission President

ATTEST:

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Abby Salinas, City Auditor