

CITY OF TIOGA
City Commission Meeting Minutes
April 17, 2023
<https://youtu.be/jSL2mPNmxbA>

A meeting of the City Commission of the City of Tioga was called to order at 7:00 pm on April 17, 2023, at the Tioga City Hall, by the City Commission President Kevin Litten.

PRESENT: Kevin Litten, Tim Christianson, Jessica Sandberg-Steele, Larry Maize, Elizabeth Pendlay (on zoom), Abby Salinas
ABSENT: Shawn Travis
GUEST: Jacob Orledge, Cody Normark, Dan Larson, Wayne Knutson, Eugene Knutson, Josh Reiner, Judy Odegaard, Rachelle Williamson, Curtis Bugbee, Jamie Weflen, Jeremy Weflen, Deon Iverson, Shana Iverson

Christianson made a motion to approve the Commission Minutes of April 3, 2023 regular Commission Meeting with no errors and omissions, second by Sandberg. Roll Call: Ayes; Christianson, Sandberg, Maize

Modifications/Approval of Agenda:

Christianson made a motion to approve the agenda as written, second by Maize. Roll Call: Ayes; Christianson, Sandberg, Maize

Old Business:

1. Legal – Pendlay – Advised Commission Board that she is currently working with Josh Reiner (City Engineer) on agreements and other City matters.
2. Moore Engineering: Reiner – Reiner gave an update to the Commission Board on South Main Street Reconstruction, NE Reconstruction phase 2, Tioga Dam Action Plan and Tioga Dam. Updated Commission Board on the 2023 Water, Sewer and Street Reconstruction and handed exhibit of bids for construction. Lowest bid was from Crow River Construction in the amount of \$2,987,826.00
Christianson made a motion to accept the lowest bid from Crow River Construction in the amount of \$2,987,826, second by Sandberg. Roll Call: Ayes; Christianson, Sandberg, Maize
Sandberg made a motion to award the construction for Tioga 2023 Water, Sewer and Street Reconstruction to Crow River Construction, second by Christianson. Roll Call: Ayes; Christianson, Sandberg, Maize
Other projects Moore is currently working on are KSI Water and Sewer Extension, Pine Ridge Subdivision plans and Tioga Soccer Field Design and floodway Modeling. Also, Reiner is currently talking with Jeff Moberg (Water Superintendent) regarding the City Skata System and connecting it to all the lift stations and the City water tower.

New Business:

3. Vacancy for Library Board - Salinas handed exhibit to Commission Board for their review of letter from Board Member vacating Board seat. Salinas is seeking permission to advertise for an open Library Board seat.
Sandberg made a motion to accept the letter of resignation from Jessica Molenda and advertise for the open Library Board seat, second by Maize. Call: Ayes; Christianson, Sandberg, Maize
4. End of Probation – Salinas handed exhibit to Commission Board for their review and consideration of end of probation paperwork for Joel Shaffett.
Sandberg made a motion to end the probationary period for Joel Shaffett and hire him permanently, second by Maize. Call: Ayes; Christianson, Sandberg, Maize
5. Estimate for new Sweeper and Pop Corn Machine for Community Center – Salinas handed exhibit to Commission Board for their review and consideration of estimate from Amazon for a new popcorn

machine in the amount of \$1,319 and a new sweeper from Stein's in the amount of \$6,600 for the Community Center.

Christianson made a motion to approve the estimate for a new popcorn machine from Amazon in the amount of \$1,319 and a new sweeper from Stein's in the amount of \$6,600, second by Sandberg. Roll Call: Ayes; Christianson, Sandberg, Maize

6. Estimate for Water Tower Inspection – Salinas handed exhibit to Commission Board for their review and consideration of estimate from Utility Service Co. to inspect the Tioga Water Tower in the amount of \$2,000.
Christianson made a motion to approve the estimate for the water tower inspection from Utility Service Co. in the amount of \$2,000, second by Maize. Roll Call: Ayes; Christianson, Sandberg, Maize
7. Renaissance Zone Applications – Salinas handed Exhibits to Commission Board for their review and consideration of 2 renaissance Zone applications from The Well Coffee Company LLC and Legacy 15:16 Properties LLC.
Maize made a motion to approve both Renaissance Zone applications from The Well Coffee Company, LLC and Legacy 15:16 Properties, LLC, second by Christianson. Roll Call: Ayes; Christianson, Sandberg, Maize
8. Johnson Controls - Salinas handed exhibits to Commission Board of estimate from Johnson Controls for their review and consideration of Fire alarm Inspection, Water Sprinkler Inspection, Fire Extinguisher and e-lights Inspection for both the Police Department and the Community Center. Salinas states that this would combine with the City Hall and Museum to get a better price for all of them.
Christianson made a motion to approve the estimate from Johnson Controls for the inspections at the Police Department and Community Center, second by Maize. Call: Ayes; Christianson, Sandberg, Maize
9. Naming of Streets – Dan Larson – Advised Commission Board that because of previous annexations certain streets need to be renamed to comply with NDCC.
Sandberg made a motion that on the Northeast side of Tioga, starting at Hwy 40 Easterly for one half (1/2) mile we continue the name Signal Road, second by Maize. Call: Ayes; Christianson, Sandberg, Maize
Maize made a motion that on the South Side of Tioga, 67th Street Northwest the correction of 7th street Southeast from Hwy 40 Westerly to Murex Petroleum be corrected to 8th Street Southeast from Hwy 40 Westerly to Main Street South, second by Sandberg. Call: Ayes; Christianson, Sandberg, Maize
Christianson made a motion that from North Signal Road (68th Street NW) Southerly to 8th Street Southeast (67th Street Northwest) be renamed to Oil Capital Way, second by Sandberg. Call: Ayes; Christianson, Sandberg, Maize
Maize made a motion to add 1st Street Southeast sign by KSI property, second by Sandberg. Call: Ayes; Christianson, Sandberg, Maize
Maize made a motion to move the Tioga Limit signs to new limits, second by Christianson. Call: Ayes; Christianson, Sandberg, Maize
10. Ordinance 2023-04 Correction of Chapter 21.0106 and 21.0108 - Salinas handed exhibit to Commission Board for their review and consideration of Ordinance 2023-04 Correction of Chapter 21.0106 and 21.0108 1st Reading- AN ORDINANCE ADOPTING COMMUNITY PRESERVATION AND IMPROVEMENT REGULATIONS BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TIOGA, NORTH DAKOTA, AS FOLLOWS: Section 1. The City Commission finds and declares that the adoption of the community preservation and improvement regulations set forth in this ordinance and the administration of the provisions of such will revise a portion of Article 1 of said Chapter Twenty-One and that said Article 1 is hereby revised and restated to read as follows: 21.0106 ABATEMENT PROCEDURE; NOTIFICATION OF NUISANCE Whenever the City Auditor determines that any property with the City is being maintained contrary to one or more of the provisions of Section 21.0103 of this article, the City Auditor shall give written notice (Notice to Abate) to the owner of said property stating the section(s) being violated. The notice to abate shall set forth a reasonable time limit, in no event less than seven calendar days,

for correcting the violation(s) and may also set forth suggested methods of correcting the same and shall be served upon the owner in accordance with the provisions of subsection b covering service in person or by mail. This subsection shall not apply, however, to a claimed nuisance under 21.0103 p. (relating to weeds or grass in excess of eight (8) inches high). 21.0108 ABATEMENT BY CITY If the nuisance is not abated as ordered within the abatement period, the City Auditor shall cause the same to be abated by such City employee or private contractors the City Auditor may authorize to enter upon the property for such purposes. The cost, including incidental expenses, of abating the nuisance shall be billed to the owner and shall become due and payable thirty days thereafter. The term "incidental expenses" shall include, but not be limited to, personnel costs, both direct and indirect; costs incurred in documenting the nuisance; the actual expenses and costs of the City in the preparation of notices, specifications, and contracts and in inspecting the work; and the costs of printing and mailing the notices required hereunder. This subsection shall not apply, however, to a claimed nuisance under section 21.0103 p. (relating to weeds or grass in excess of eight (8) inches high). In the event of a claimed nuisance under section 21.0103 p. (relating to weeds or grass in excess of eight (8) inches high), the city is authorized with proper notice to enter upon the premises and to take whatever steps as might reasonably be required to abate the nuisance. Actions taken by the City, if reasonable by nature and undertaken in good faith shall not constitute a trespass or conversion.

Christianson made a motion to approve the 1st Reading of Ordinance 2023-04 Correction of Chapter 21.0106 and 21.0108, second by Sandberg. Call: Ayes; Christianson, Sandberg, Maize

Consent Approval:

11. Planning and Zoning Application - Salinas handed exhibit to Commission for their review and consideration of Planning and Zoning Building Permit Applications from HESS Corporation/Michelle Williams and a Planning and Zoning Building Permit application from KS Industries/Robbie Smith. The Planning and Zoning Board has reviewed the applications and recommend approval.
 12. Payroll 04-07-2023 - Salinas handed exhibits to Commission Board for their review and consideration of payroll for 04-07-2023.
 13. Financials for March 2023- Salinas handed exhibits to Commission Board for their review and consideration of financials for March 2023 of Fund Summary and Balance Sheet.
- Christianson made a motion to approve the consent agenda that consists of Planning and Zoning Building Permit Applications from HESS Corporation/Michelle Williams and a Planning and Zoning Building Permit application from KS Industries/Robbie Smith, Payroll for 04-07-2022, and the City Financials for March 2023, second by Maize. Call: Ayes; Christianson, Sandberg, Maize**

With no further business, the meeting of the Tioga City Commission was adjourned by unanimous vote moved by Maize, second by Sandberg at 7:43p.m. call: Ayes; Christianson, Sandberg, Maize, Litten.

The next meeting of the City of Tioga Commission Meeting is scheduled for Monday May 1, 2023, at 7:00 p.m., to be held at the Tioga City Hall.

Kevin Litten, Tioga Commission President

ATTEST:

Abby Salinas, Tioga City Auditor