

CITY OF TIOGA
City Commission Meeting Minutes
May 21, 2018
Unofficial

A meeting of the City Commission of the City of Tioga was called to order at 7:00 pm on May 20, 2018, at the Tioga City Hall, by President of the City Commission Drake McClelland.

PRESENT: Drake McClelland, Todd Thompson, Natalie Bugbee, Tim Sundhagen, Heather Weflen, Elizabeth Pendlay and Abby Salinas

ABSENT:

GUEST: Dan Larson, Steve Eberle, Austin Alexander, Bob Anderson, Wayne Knutson, Tracie Papineau, Ryan Albrecht, Pat Alberts, Brett Rieniets, Mike Holm, Spencer Hilde, Tyler Judkins, Harlan Germundson, Nathan Germundson

Thompson made a motion to approve the minutes of May 7, 2018, second by Sundhagen. Roll Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

Thompson made a motion to approve the minutes of May 7, 2018 Public Hearing for Annexation, second by Bugbee. Roll Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

Weflen made a motion to approve the minutes of May 7, 2018 Special Meeting for Vacation, second by Bugbee. Roll Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

Thompson made a motion to approve the minutes of May 16, 2018 Public Hearing for Annexation, second by Weflen. Roll Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

Sundhagen made a motion to approve the minutes of May 16, 2018 Special Meeting for Simons, second by Bugbee. Roll Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

Commissioners Reports:

Thompson: Advised Commission Board that this will be the last meeting he will be attending, Thompson states it has been a privilege to work for the people of Tioga and his fellow Commissioners. Thompson also wanted to thank the staff for all their hard work and assistance to him.

Bugbee: Advised Commission Board that she did a walk through at the new Master Lift Station and would recommend anyone to go.

Sundhagen: Advised Commission Board that new Police Officer Samuel Pesik will be starting. Sundhagen also stated that the new Police vehicle was ordered and that the new police station is moving in the right direction. Sundhagen advised Commission Board that Fire Department was charged for using the bulk water of Tioga and stated that the Fire Department met and would like to not be charged for any water used in fires for the City. Discussions held.

Weflen made a motion to not charge the Fire Department for any type of water that is used in Tioga, second by Bugbee. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

Sundhagen also advised Commission Board that a stop sign is needed on the intersection of Welo and Front Street, discussions held.

Sundhagen made a motion to place a stop sign on Welo and Front Street, second by Weflen. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

Weflen: Advised Commission Board that if any residents that live on any of the neighborhoods that have construction happening on the roads to please take their garbage cans to the next street over for pick up. Weflen gave floor to Recreation Board member Pat Alberts. Alberts advised Commission Board that the Recreation Board is seeking permission to fix and/or replace the fence, cement pad with bleachers and other small items at the City owned baseball field.

Sundhagen made a motion to allow the Recreation Board to fix and or replace some items at the City owned baseball field, second by Weflen. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

McClelland: None

Modifications/Approval of Agenda:

Thompson made a motion to approve agenda with no changes, second by Sundhagen. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

Old Business:

1. Legal – Elizabeth Pendlay – Advised Commission Board that she is currently working on contract for the Tioga Historical Society Board, email from City Engineer on land transfer, Knutson Easement response in writing and has spoken with City Prosecuting Attorney Amber Fisel regarding the Animal and Fowl Ordinance.

2. Ackerman-Estvold: Steve Eberle – Advised Commission Board of the status for the Master Lift station, Simons addition, and Warranty work. Eberly also advised Commission Board on the status of the TAP Program and handed exhibit of letter from NDDOT for awarding grant up to \$200,000. Bids came in for project, if City wants to place asphalt trails the portion of City cost will be \$59,178.60 if City wants to place concrete sidewalks the portion would be \$97,411.20.

Thompson made a motion to table the decision of whether to accept the asphalt or concrete sidewalk till next Commission Meeting on 06-04-2018, second by Weflen. Roll Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

3. Graham Construction: Spencer Hilde – Advised Commission Board of the status for the Community Center, handed exhibit of Pay request #2 for work completed at the Community Center in the amount of \$32,582.25.

Bugbee made a motion to approve pay application #2 from Graham Construction in the amount of #32,582.25 for the work completed at the Community Center, second by Sundhagen. Roll Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

New Business:

4. Planning & Zoning – Larson handed exhibit to Commission board of building permit application from the Park Board, Planning and Zoning Committee advised Commission Board that they have reviewed the application request for building permit from the Park Board for a new shop and recommends approval.

Sundhagen made a motion to approve the building permit application for a new shop from the Park Board, second by Weflen. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

Larson handed exhibit of Building Permit Application from Trevor Almer, Planning and Zoning Committee advised Commissioner Board that they have reviewed application from Trever Almer for a manufactured home and recommends approval.

Sundhagen made a motion to approve the Building Permit Application from Trevor Almer for a new manufactured home, second by Weflen. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

Larson handed exhibit of Building Permit Application from Ryan Albright, Planning and Zoning Committee advised Commissioner Board that they have reviewed application from Ryan Albright for a modular home with a basement and recommends approval.

Sundhagen made a motion to approve the Building Permit Application from Ryan Albright for a new modular home with a basement, second by Thompson. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

Larson handed exhibit of Building Variance Permit Application from Harlan Germundson, Planning and Zoning Committee advised Commissioner Board that they have reviewed application from Harlan Germundson for a building variance permit for building a garage and recommends approval.

Sundhagen made a motion to approve the Building Variance Permit Application from Harlan Germundson for a garage, second by Bugbee. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

Larson handed exhibit of Building Variance Permit Application from Brett Reinet, Planning and Zoning Committee advised Commissioner Board that they have reviewed application from Brett Reiniets for a building variance permit for building a garage and recommends approval.

Sundhagen made a motion to approve the Building Variance Permit Application from Brett Reiniets for a garage, second by Bugbee. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

Larson handed exhibit of Preliminary Plat from City of Tioga, Planning and Zoning Committee advised Commissioner Board that they have reviewed application from the City of Tioga for a preliminary plat and recommends approval.

Weflen made a motion to approve the preliminary plat from City of Tioga, second by Sundhagen. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

5. Ordinance 2018-01 Annexation Section 28 Rail Road 1st Reading - ORDINANCE NO. 2018-01 AN ORDINANCE RELATING TO THE ANNEXATION OF REAL PROPERTY PRESENTLY LOCATED OUTSIDE THE CORPORATE BOUNDARIES OF THE CITY OF TIOGA BE IT ORDAINED BY THE BOARD OF THE CITY COMMISSIONERS OF THE CITY OF TIOGA, NORTH DAKOTA: The City Commission of the City of Tioga, North Dakota, pursuant to Chapter 40-51.2 of the North Dakota Century Code, states that: All of the owners of the following-described real property have signed a written petition for annexation into the corporate boundaries of the City of Tioga, North Dakota or, have withdrawn, in writing, any protest previously lodged with respect to the same; and All of the below-described real property is lands that are contiguous or adjacent real property which is within the corporate limits of the City of Tioga; The real property is fully described as follows, to-wit: TOWNSHIP 157 NORTH, RANGE 95 WEST: Section 28:A Parcel of Land being West one-half of the Northwest Quarter of the Northeast Quarter of Section 28 and Part of the Southeast Quarter of the Northeast Quarter of Section 28, North of the Railroad Right of Way and the Railroad Right of Way in the North one-half of Section 28, Township 157 North, Range 95 West of the Fifth Principal Meridian, Williams County, Excepting therefrom any portion of Sublot 12, Being A Re-Arrangement of MS13-0125 as shown in Plat filed for record March 15, 2017, Williams County recorder office, Document No. 831831, described as follows: Beginning at the Southeast Corner of MS 13-0127 as shown on the Plat filed for record December 11, 2013, Williams County recorder office, Document No. 775651; and running thence South along the East line of said Section 28, 330 feet more or less to the South Railroad Right of Way Line; thence along said South Railroad Right of Way Line the following two courses; 1) 1530 feet more or less along the arc of curve to the left whose radius is 5629.58 feet and whose central angle is 15°34'32" and whose long chord bears North 81°17'44" West, 1525.66 feet 2) North 89°05' West, 3772 feet more or less to the West Line of said Section 28 ; thence North along the said West Line of Section 28, 200 feet more or less to the North Railroad Right of Way; Thence South 89°05' East along said North Railroad Right of Way, 2640 feet more of less to the West Line of the said Northeast Quarter; thence North along said West Line, 1182 feet more or less to the Northwest Corner of the said Northeast Quarter; thence East, 660 feet more or less to the Northwest Corner of said Sublot 12, Being A Re-Arrangement of MS13-0125 as shown in Plat filed for record March 15, 2017, Williams County recorder office, Document No. 831831; thence South 1°48'29" West along the West line of said Sublot 12, 1178.64 feet to the Southwest Corner of said Sublot 12 and North Railroad Right of Way; thence following the South line of said Sublot 12 and the said North Railroad Right of Way the following two courses: 1) South 87°07'25" East, 380.02 feet 2) 280.26 feet along the arc of a curve to the right whose radius is 5784.56 feet and whose central angle is 2°46'33" and whose lone chord bears South 85°10'54" East, 280.23 feet to the Southwest Corner of MS 13-0128, as shown on the Plat filed for record December 11, 2013, Williams County recorder office, Document No. 775651; thence 829.94 feet along the arc of a curve to the right and the South line of MS 13-0128 and the North Railroad Right of Way whose radius is 5775.99 feet and whose central angle is 8°13'58" and whose long chord bears South 79°41'45" East, 829.23 feet; thence South 88°07'29" East along said South line of MS 13-0128, 333.04 feet to the Southwest Corner

of MS 13- 0127, as shown on the Plat filed for record December 11, 2013, Williams County recorder office, Document No. 775651; thence South 88°07'29" East along said the South line of MS 13-0127, 166.25 feet to the point of beginning. Containing 43.0 Acres more or less

Sundhagen made a motion to approve Ordinance 2018-01 Annexation Section 28 Rail Road, second by Weflen. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

6. Ordinance 2018-02 Annexation Section 33 NE 1st Reading - ORDINANCE NO. 2018-02 AN ORDINANCE RELATING TO THE ANNEXATION OF REAL PROPERTY PRESENTLY LOCATED OUTSIDE THE CORPORATE BOUNDARIES OF THE CITY OF TIOGA BE IT ORDAINED BY THE BOARD OF THE CITY COMMISSIONERS OF THE CITY OF TIOGA, NORTH DAKOTA: The City Commission of the City of Tioga, North Dakota, pursuant to Chapter 40-51.2 of the North Dakota Century Code, states that: All of the owners of the following-described real property have signed a written petition for annexation into the corporate boundaries of the City of Tioga, North Dakota or, have withdrawn, in writing, any protest previously lodged with respect to the same; and All of the below-described real property is lands that are contiguous or adjacent real property which is within the corporate limits of the City of Tioga; The real property is fully described as follows, to-wit: TOWNSHIP 157 NORTH, RANGE 95 WEST: Section 33:TOWNSHIP 157 NORTH, RANGE 95 WEST: Section 33: A Parcel of Land being part of the Northeast Quarter of the Northeast Quarter of Section 33, Township 157 North, Range 95 West of the Fifth Principal Meridian, Williams County, North Dakota more particular described as Lot 2 Block 2 of Tioga Springs Subdivision as shown in plat filed for record March 14, 2014, Williams County Recorder office, Document No. 781815.

Sundhagen made a motion to approve Ordinance 2018-02 Annexation Section 33 NE, second by Weflen. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

7. NDDOT Tap Grant – Salinas handed exhibit of NDDOT, previously discussed under Ackerman-Estvold and decision was tabled till next Commission Meeting on June 4, 2018.
8. Tioga Fund Applications – Salinas handed exhibit of Tioga Fund application from Friends and Teachers for Central in the amount of \$9,000 to purchase 8 sets of choral risers with steps and storage/transport racks. Tioga Fund Board has viewed application and recommends approval.

Sundhagen made a motion to approve the Tioga Fund application from Friends and Family of Central in the amount of \$9,000, second by Weflen. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

Salinas handed exhibit of Tioga Fund application from Tioga Recreational Counsel in the amount of up to \$25,000 to purchase grooming machine, a safety fence topper for field, portable bleachers and 4 portable scoreboards. Tioga Fund Board has viewed application and recommends approval.

Thompson made a motion to approve the Tioga Fund application from Tioga Recreational Counsel in the amount of up to \$25,000, second by Weflen. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

Salinas handed exhibit of Tioga Fund application from A&B Rentals/Bob Anderson in the amount of \$3,426 for store front improvement. Tioga Fund Board has viewed application and recommends to add this application to the existing application and approve up to a max of \$5,000 reimbursement total for both applications combined.

Sundhagen made a motion to approve the Tioga Fund application for Store Front Improvement from A&B Rentals/Bob Anderson as stated by Tioga Fund Board to add this application to the existing application and approve up to a max of \$5,000 reimbursement total for both applications combined, second by Thompson. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

Salinas handed exhibit of Tioga Fund application for Store Front Improvement from Norman Wonser Estate in the amount of up to \$4,500 for painting and repairing building. Tioga Fund Board has viewed application and recommends approval.

Thompson made a motion to approve the Tioga Fund application from Norman Wonser Estate in the amount of up to \$4,500 for painting and repairing building, second by Bugbee. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

9. Visitor Promotion Applications - Salinas handed exhibit of Visitor Promotion Application from Tioga Chamber of Commerce in the amount of \$20,000 for radio sponsorship. Visitor Promotion Committee has viewed application and recommends approval of only \$10,000.

Sundhagen made a motion to approve the Visitor Promotion Application from Tioga Chamber of Commerce in the amount of \$10,000, second by Bugbee. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

10. Gaming License – Salinas handed exhibit of Gaming License Renewal Application from Minot State University

Weflen made a motion to approve Gaming License Renewal Application from Minot state University, second by Thompson. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

11. Special Liquor License – Salinas handed exhibit of Special Liquor License Application from Model Tavern for the Freedom Fest Street Dance on July 3, 2018.

Weflen made a motion to approve Special Liquor License Renewal Application from Model Tavern, second by Sundhagen. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

12. Resolution 2018-04 Section 26 WWTP – Salinas stated that she was not sure why that was on here again because it was approved 05-07-2018.

Weflen made a motion to table, second by Sundhagen. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

13. Payroll - Salinas handed exhibit to Commission Board of payroll for 05-20-2018,

Bugbee made a motion to approve payroll for May 20, 2018, second by Thompson. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

14. Bills – Salinas handed exhibit to Commission Board of bills for May 2018 bills

Bugbee made a motion to approve May 2018 bills, second by Thompson. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

15. Financials - Salinas handed exhibit to Commission Board of City of Tioga Financials for April 2018,

Thompson made a motion to approve Balance Sheet for April 2018, second by Bugbee. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

Thompson made a motion to approve Fund Summary for April 2018, second by Bugbee. Call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

With no further business, the meeting of the Tioga City Commission was adjourned by unanimous vote moved by Bugbee, second by Sundhagen at 8:13 p.m. call: Ayes; Thompson, Bugbee, Sundhagen, Weflen, McClelland

The next meeting of the City of Tioga is scheduled for Monday June 4, 2018 at 6:30 p.m., to be held at the Tioga City Hall.

Drake McClelland, President of the City Commission

ATTEST:

Abby Salinas, City Auditor