

**CITY OF TIOGA**  
City Commission Meeting Minutes  
November 6, 2017

A meeting of the City Commission of the City of Tioga was called to order at 7:00 pm on November 6, 2017, at the Tioga City Hall, by President of the City Commission Drake McClelland.

PRESENT: Drake McClelland, Todd Thompson, Tim Sundhagen, Heather Weflen, and Abby Salinas

ABSENT: John Grubb, Elizabeth Pendlay

GUEST: Dan Larson, Marcus White, Steve Eberle, Austin Alexander, Dennis Lindahl, Aubrey Briggs, Corey Murphy, Steve Jensen, Lee Olson, Lea Heiney

**Sundhagen made a motion to make correction to approved minutes of October 2, 2017 under Tioga Fund Applications \$5,000 was approved for the Ole and Lena Hobby House, second by Weflen. Roll Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**

**Thompson made a motion to approve the minutes of October 16, 2017, second by Sundhagen. Roll Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**

**Sundhagen made a motion to approve the minutes for the Public Hearing on October 26, 2017, second by Thompson. Roll Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**

**Commissioners Reports:**

Thompson: None

Grubb: Absent

Sundhagen: Advised Commission Board that Mia Lefever will stay on probation for another 45 days.

**Sundhagen made a motion to extend probation for Mia Lefever for 45 days, second by Weflen. Roll Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**

Weflen: Advised Commission Board that new winter hours at the City landfill will be Tuesday and Thursday 8am to Noon and 1pm to 5pm

McClelland: Advised Commission Board that a Public Hearing will be held on December 7, 2017 at 6pm for Increase in Water and Sewer rates. Also advised the Commission Board that an employee appreciation dinner will be held on December 9, 2017.

**Thompson made a motion to approve budget of \$8,000 for employee appreciation dinner on December 9, 2017, second by Weflen. Roll Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**

Advised Commission Board that City Hall has always been closed the day before Thanksgiving at noon and asked is that is something that the City will be doing this year.

**Sundhagen made a motion to close City jobs at 12:00 noon on November 22, 2017, second by Thompson. Roll Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**

Also Advised Commission board that employee appraisals are due by the end of the year to City Auditor. Discussions held on Campers and Trailers. Lee Olson was given the floor to speak about his displeasure on the decrease of the speed limit on Signal Road, he stated that is a hassle and does not feel that the previous speed limit had caused any accidents. Sundhagen stated that future construction and safety are the reasoning behind the decision to reduce speed limit. Discussions held.

**Modifications/Approval of Agenda:**

**Sundhagen made a motion to remove agenda item #9 under new agenda, and approve agenda with changes made, Second by Weflen. Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**

**Old Business:**

1. Legal – none

2. Ackerman-Estvold: Steve Eberle – Advised Commission Board of the progress being made at the master lift station and informed them of ventilation concerns that the Water superintendent had, handed exhibit of quote for ventilation in the amount of \$3,600  
**Sundhagen made a motion to approve quote in the amount of \$3,600 to add the ventilation system to the master lift station, second by Weflen. Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**  
Other Items Ackerman-Estvold is currently working on are; Simmons Addition, 67<sup>th</sup> Street, Tioga Dam EAP, Police Department Facility, Fire Hydrant replacement and Planning and Zoning. Eberle handed exhibits to Commission Board of sidewalk routes and cost for choosing either concrete or asphalt, he also stated that a decision needed to be made on what option to present to ND DOT TAP Grant.  
**Thompson made a motion to approve option 1A and 1B to present to ND DOT, second by Sundhagen. Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**
3. Ordinance 2017-06 Annexation of Section 26 2<sup>nd</sup> Reading- 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: 1. 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 2. 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; 3. The real property is fully described as follows, to-wit: **TOWNSHIP 157 NORTH, RANGE 95 WEST: Section 26:**A Parcel of Land being The Northwest Quarter of Section 26, Township 157 North, Range 95 West of the Fifth Principal Meridian, Williams County, North Dakota; Excepting therefrom any portions west of the North Dakota State Highway 40 Right-of Way Together with: A Parcel of Land being the North Half of the Southwest Quarter of said Section 26. This ordinance shall take effect and be in force from and after final passage, and due publication according to law.  
**Weflen made motion to approve 2<sup>nd</sup> reading of Ordinance 2017-06 Annexation of Section 26, second by Thompson. Call: Ayes; Thompson, Weflen, Sundhagen, McClelland**
4. Ordinance 2017-07 Annexation of Section 28 2<sup>nd</sup> Reading – 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: 1. 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 2. 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; 3. The real property is fully described as follows, to-wit: TOWNSHIP 157 NORTH, RANGE 95 WEST: Section 28: A Parcel of Land being all of Section 28 lying Southerly of the railroad Right of Way: Together with: A Parcel of Land being the Northwest Quarter of Section 28 lying Northerly of the Railroad Right of Way This ordinance shall take effect and be in force from and after final passage, and due publication according to law.  
**Thompson made motion to approve 2<sup>nd</sup> reading of Ordinance 2017-07 Annexation of Section 28, second by Weflen. Call: Ayes; Thompson, Weflen, Sundhagen, McClelland**
5. Ordinance 2017-08 Nuisance 1<sup>st</sup> 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 amend and restate Article 1 of said Chapter Twenty-One and that said Article 1 is hereby re-amended.  
**Sundhagen made motion to approve 1st reading of Ordinance 2017-08 Nuisance, second by Weflen. Call: Ayes; Thompson, Weflen, Sundhagen, McClelland**

6. Ordinance 2017-10 Property Maintenance Code 2<sup>nd</sup> Reading – AN ORDINANCE ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE **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 International Property Maintenance Code (“IPMC”) as set forth in this ordinance is necessary and desirable to preserve and improve the health, safety and welfare of the community: CHAPTER 23 ARTICLE 1 23.0101 ADOPTION OF INTERNATIONAL PROPERTY MAINTENANCE CODE (“IPMC”) The construction, enlargement, alteration, repair, relocation, removal, demolition, conversion, occupancy, uses, equipment, area and maintenance of buildings or structures in the City of Tioga shall meet with the provisions of the rules and regulations of the International Property Maintenance Code, copies of which code are on file with the City Auditor and are hereby made a part of this Chapter by reference with the exception of the sections here and after set forth affecting local conditions in the City, which are amended, deleted or added to, for use and application within the City, and the hereby adopts said code as so modified. 23.0102 PENALTY The violation of any of the provisions of this chapter shall be punishable as provided in chapter two (2) of these revised ordinances.  
**Sundhagen made motion to approve 2<sup>nd</sup> reading of Ordinance 2017-010 International Property Maintenance Code, second by Thompson. Call: Ayes; Thompson, Weflen, Sundhagen, McClelland**
7. Ordinance 2017-11 International Fire Code Adoption 2<sup>nd</sup> Reading - AN ORDINANCE ADOPTING THE INTERNATIONAL FIRE CODE **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 International Fire Code (“IFC”) as set forth in this ordinance is necessary and desirable to preserve and improve the health, safety and welfare of the community: CHAPTER 24 ARTICLE 1 24.0101 ADOPTION OF INTERNATIONAL FIRE CODE (“IFC”) The construction, enlargement, alteration, repair, relocation, removal, demolition, conversion, occupancy, uses, equipment, area and maintenance of buildings or structures in the City of Tioga shall meet with the provisions of the rules and regulations of the International Fire Code, copies of which code are on file with the City Auditor and are hereby made a part of this Chapter by reference with the exception of the sections here and after set forth affecting local conditions in the City, which are amended, deleted or added to, for use and application within the City, and the hereby adopts said code as so modified. 24.0102 PENALTY The violation of any of the provisions of this chapter shall be punishable as provided in chapter two (2) of these revised ordinances  
**Sundhagen made motion to approve 2<sup>nd</sup> reading of Ordinance 2017-11 International Fire Code, second by Weflen. Call: Ayes; Thompson, Weflen, Sundhagen, McClelland**

**New Business:**

8. Tax Abatement – Salinas handed exhibit of Application for Tax Abatement or Refund of Taxes from Blake Newell (J. W. Chatam & Associates Inc.) on behalf of ARCP CO Tioga ND LLC (Corbin’s Inc.). Lea Heiney, Williams County Property Assessor, advised Commission Board of the values and handed exhibits of the values for the properties.  
**Sundhagen made a motion to deny the application for Tax Abatement or Refund of Taxes from Blake Newell (J. W. Chatam & Associates Inc.) on behalf of ARCP CO Tioga ND LLC (Corbin’s Inc.), second by Weflen. Call: Ayes; Thompson, Weflen, Sundhagen, McClelland**
9. Airport Letter of Interest – Salinas handed Commission Board exhibit of Letter of interest from Curtis Vande Sandt, discussions held.  
**Weflen made a motion to appoint Curtis Vande Sandt as the new Airport Board member effective January 1, 2018, second by Sundhagen. Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**
10. Pledge Holdings – Salinas handed exhibit to Commission Board of the Bank of North Dakota Pledge Holdings as of 10-19-17.  
**Sundhagen made a motion to approve the pledge holdings as of 10-19-17 from Bank of North Dakota, second by Thompson. Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**  
Salinas handed exhibit to Commission Board of the Bank of North Dakota Pledge Holdings as of 10-26-17

**Thompson made a motion to approve the pledge holdings as of 10-16-17 from Bank of North Dakota, second by Sundhagen. Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**

11. Special Liquor License – Salinas handed exhibit of Special Liquor License Application from Model Tavern for Christmas Party at Neset Consulting on December 12, 2017.

**Sundhagen made a motion to approve the Special Liquor License for Model Tavern, second by Thompson. Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**

12. Local Charity Permit – Salinas handed exhibit of Local Charity Permit Application from Pheasants Forever for Raffles

**Sundhagen made a motion to approve the Local Charity Permit Application for Pheasants Forever, second by Weflen. Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**

Salinas handed exhibit of Local Charity Permit Application from Families and Teachers Fun Center for Raffle

**Sundhagen made a motion to approve the Local Charity Permit Application for Families and Teachers Fun Center, second by Weflen. Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**

13. Tioga Fund Applications – Salinas handed exhibit of Tioga Fund application from Summit Counseling Service in the amount of \$25,000 for startup operations for a counseling service that would be located next to Dr. Carlson's office.

**Thompson made a motion to approve the Tioga Fund application from Summit Counseling Service in the amount of \$25,000, second by Sundhagen. Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**

Salinas handed exhibit of Tioga Fund application from Tioga Chamber of Commerce in the amount of \$7,000 for Annual Christmas Event.

**Thompson made a motion to approve the Tioga Fund application from Tioga Chamber of Commerce in the amount of \$7,000, second by Sundhagen. Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**

Salinas handed exhibit of Tioga Fund application from Tioga Area Economic Development in the amount of \$10,000 matching fund for 2018 operating fund.

**Thompson made a motion to approve the Tioga Fund application from Tioga Area Economic Development in the amount of \$10,000 matching fund for 2018 operating fund, second by Sundhagen. Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**

Salinas handed exhibit of Tioga Fund application from Tioga Area Economic Development in the amount of \$50,000 for 2018 Community Development Consultant.

**Thompson made a motion to approve the Tioga Fund application from Tioga Area Economic Development in the amount of \$50,000 for 2018 Community Development Consultant, second by Sundhagen. Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**

14. Bills – Salinas handed exhibit to Commission Board of the Second half of October 2017 Bills.

**Thompson made a motion to approve the Second half of bills for October 2017, second by Sundhagen. Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**

15. Payroll - Salinas handed exhibit to Commission Board of City of Tioga Payroll for October 20, 2017

**Thompson made a motion to approve Payroll for October 20, 2017, second by Sundhagen. Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**

Salinas handed exhibit to Commission Board of City of Tioga Payroll for November 5, 2017

**Thompson made a motion to approve Payroll for November 5, 2017, second by Weflen. Call: Ayes; Thompson, Sundhagen, Weflen, McClelland**

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

The next meeting of the City of Tioga is scheduled for Monday November 20, 2017 at 7:00 p.m., to be held at the Tioga City Hall.

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Drake McClelland, President of the City Commission

ATTEST:

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Abby Salinas, City Auditor